

EDU #4036-00  
C # 171-00E  
SB # 34-00

C.C., on behalf of her minor son, R.C., :  
PETITIONER-APPELLANT, :  
V. : STATE BOARD OF EDUCATION  
BOARD OF EDUCATION OF THE : DECISION  
BOROUGH OF RIVERTON, :  
RESPONDENT-RESPONDENT. :  
\_\_\_\_\_ :

Decided by the Commissioner of Education, June 8, 2000

For the Petitioner-Appellant, C.C., pro se

For the Respondent-Respondent, Parker, McCay & Criscuolo (Frank P. Cavallo, Jr., Esq., of Counsel)

Appellant, the parent of a student attending school in the Riverton school district, filed a petition of appeal and a request for emergent relief with the Commissioner of Education challenging the Riverton Board's determination to uphold the after-school detention imposed against her son for allegedly copying homework answers from another student. On June 8, 2000, the Commissioner of Education denied the appellant's request for emergent relief, finding that she had failed to satisfy the standard for such relief set forth in Crowe v. DeGioia, 90 N.J. 126 (1982).

On June 15, 2000, the appellant filed a notice of appeal with the State Board of Education from the Commissioner's denial of her request for emergent relief.

Pursuant to N.J.A.C. 6A:4-1.11(a), the appellant's brief in support of her appeal was due on July 5, 2000, 20 days after she filed her notice of appeal. The appellant, however, failed to file a brief by that date. By letter dated July 13, 2000, the Director of the State Board Appeals Office notified the appellant of her failure to file a brief and informed her that this matter was being referred to the Legal Committee of the State Board for consideration of her failure to perfect the appeal.

The appellant has still failed to file a brief in support of her appeal, nine weeks after the deadline for such filing and eight weeks after she was notified of such failure. Nor has she offered any explanation for her failure to file or requested an extension of time for such filing. As a result, we dismiss the appeal in this matter for failure to perfect. N.J.A.C. 6A:4-1.12(a). See Paszamant v. Board of Education of the Borough of Highland Park, decided by the State Board, April 1, 1992, aff'd, Docket #A-4812-91-3 (App. Div. 1993).

September 6, 2000

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