

Regulation

PROCEDURE FOR NCLB COMPLAINTS AND INQUIRIES

The Township of Union Board of Education welcomes inquiries about and constructive criticism of the district's programs, equipment, operations and personnel. In most cases it is possible to make a satisfactory adjustment by staff at the building level or by the chief school administrator at the district level. If this is not possible, complaints should be referred to the board of education for resolution.

This procedure sets forth the process for resolving a complaint presented by any individual or organization that:

- A. A school, school district, other agency authorized by a school district or the New Jersey Department of Education (NJDOE), and/or
- B. NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act (NCLB).

A complaint is a written allegation that a school, school district, other agency authorized by a school district or the NJDOE, or NJDOE has violated the law in the administration of education programs required by the NCLB. An allegation may be submitted in writing or electronically. If a complaint is submitted electronically, a hard copy should also be sent to the NJDOE via regular mail.

A complaint shall identify:

- A. The alleged NCLB violation;
- B. The facts supporting the alleged violation; and
- C. Any supporting documentation.

Many problems and disagreements can be resolved by contacting the school principal or superintendent of schools. If efforts at the local level are not successful, complainants may follow the procedures outlined below. To initiate a complaint that a school, school district, or other agency authorized by a school district or the NJDOE has violated the administration of an education program, a complainant must submit a written complaint to the department to the attention of the Executive County Superintendent.

To initiate a complaint against the NJDOE alleging a violation of the administration of a program, a complainant must submit a written complaint to the Chief of Staff at:

New Jersey Department of Education
Office of the Chief of Staff
P.O. Box 500
Trenton, New Jersey 08625-0500
(609) 292-4442; **or**

The complainant must submit a written complaint to the

United States Department of Education Secretary
Office of Hearings & Appeals
400 Maryland Avenue,
SW Washington, DC 20202-4611
(202) 619-9700.

PROCEDURES FOR NCLB COMPLAINTS AND INQUIRIES (continued)

However, it is requested that the complainants first contact the Chief of Staff to resolve the issue. When a written complaint is received, the appropriate NJDOE personnel will issue a Letter of Acknowledgement to the complainant within ten (10) business days of receipt of the complaint. This letter shall contain the following information:

- A. The date that the complaint was received;
- B. A brief statement of the manner in which the department will investigate the complaint;
- C. If necessary, request for additional information regarding the complaint;
- D. A tentative resolution date that is sixty (60) days from the date that the written complaint was received by the County Office*; and
- E. The name and phone number of a contact person for status updates.

*Based on the facts of the alleged violation, an extension of time may be required to resolve the complaint. If an extension is required, the appropriate NJDOE personnel will issue a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe. The Executive County Superintendent will coordinate the investigation of the complaint. When the investigation is complete, the Executive County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose the appropriate consequences or corrective action as required by regulation to resolve the complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at: Office of Hearings & Appeals 400 Maryland Avenue, SW Washington, DC 20202-4611 (202) 619-9700 or at their website at <http://www.ed-oha.org/index.html>.

Adopted: March 20, 2007