

Cherry Hill Public Schools
Cherry Hill, New Jersey

POLICY 1312.1

COMPLAINT PROCEDURES FOR ALLEGED VIOLATIONS OF NCLB

This procedure sets forth the process for resolving a complaint presented by any individual or organization that: (1) a school, school district, other agency authorized by a school district or New Jersey Department of Education (NJDOE), and/or (2) NJDOE violated the administration of education programs required by the Elementary and Secondary Act (ESEA) as amended by the *No Child Left Behind Act* (NCLB.) The procedure sets for the method of receipt and resolution of complaints alleging violation in the administration of programs. For a list of major programs included in the Elementary and Secondary Education Act of 1965 as amended by the *No Child Left Behind Act of 2001* and covered under this procedure, see Appendix A.

Definition of Complaint

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 send 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.

Process for Alleged Violations by a school, school district or other agency authorized by a school district or the NJDOE

In most cases it is possible to make a satisfactory adjustment by staff at the building level or by the superintendent at the district level. If this is not possible, complaints should be referred to the County Superintendent.

- a) A written complaint (components described above) must be submitted to the department of the attention of the County Superintendent at the following address:

Executive County Superintendent
Camden County Department of Education
Jefferson Hall, Third Floor
PO Box 200, College Drive
Blackwood, NJ 08012
(856)401-2400

- b) 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. The letter shall contain the following information:
1. The date the letter was received;
 2. A brief statement of the manner in which the department will investigate the complaint;
 3. If necessary, request for additional information regarding the complaint;
 4. A tentative resolution date that is sixty (60) days from the date that the written complaint was received by the County Office (based on the fact presented and extension may be granted and will be confirmed in a follow up letter); and
 5. The name and phone number of a contact person for status updates.
- c) The County Superintendent will coordinate the investigation of the complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation.

Process for Alleged Violations by the NJDOE

The complainant must submit a written complaint to the NJDOE Chief of Staff.

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

- a) When a written complaint is received, the Chief of Staff will assign the investigation of this complaint to the Office of Strategic Initiatives and Accountability. This office will issue a Letter of Acknowledgement to the complainant within ten (10) business days of the receipt of the complaint. This letter shall contain the following information:
1. The date the letter was received;
 2. A brief statement of the manner in which the department will investigate the complaint;
 3. If necessary, request for additional information regarding the complaint;
 4. A tentative resolution date that is sixty (60) days from the date that the written complaint was received by the County Office (based on the fact presented and extension may be granted and will be confirmed in a follow up letter); and
 5. The name and phone number of a contact person for status updates.

- b) The Office of Strategic Initiatives and Accountability will coordinate the investigation of the complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation.

Resolution of Confirmed Violations

If a violation has occurred by a school, school district or other agency authorized by a school district or the NJDOE, the Assistant Commissioner assigned to the oversee the matter shall identify and impose the appropriate consequences or corrective action as required by regulation to resolve the complaint.

If a violation has occurred by the NJDOE, the Chief of Staff shall identify and impose the appropriate consequences or corrective actions as required by regulation to resolve the complaint.

Appeal Process

If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary at:

United States Department of Education Secretary
Office of Hearings and Appeals
400 Maryland Ave., SW
Washington, DC 20202-4611
(202)619-9700
Or at their website at <http://www.ed-oha.org/index/html>

Approved: June 26, 2007

Legal References:

20USC 7844, Sec 9304 (a)(3)(C) of the *No Child Left Behind Act of 2001*

Related Procedure: C-18: Community Inquiry