



BERGEN COUNTY TECHNICAL SCHOOLS / SPECIAL SERVICES

District Administrative Office

11 Carol Court, Hackensack, New Jersey 07601 • Tel. (201) 343-6000 • Fax (201) 996-7246

Richard Panicucci
Assistant Superintendent of Curriculum and Instruction

July, 2014

Dear Parent or Guardian,

In accordance with the New Jersey Department of Education mandate, I would like to inform you about the policies and procedures for reporting a violation of the Elementary and Secondary Education Act (NCLB). Please see the enclosed State guidelines for issuing a complaint against a school, district, or the Department of Education itself.

In addition to procedures for reporting violations, parents can also find information on the law itself at: <http://www.ed.gov/nclb/overview/intro/parents/parentfacts.html>. Please keep this information for your records and do not hesitate to contact us should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to be "Richard Panicucci".

Richard Panicucci

RP:dm
Enclosures



Bergen County Technical High School

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Purpose

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 the New Jersey Department of Education (NJDOE), and/or (2) NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act (ESEA) also known as No Child Left Behind.

Statutory Requirement

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the *ESEA* (<http://www2.ed.gov/policy/elsec/leg/esea02/107-110.pdf>), a State Educational Agency (SEA) shall adopt written procedures that offer parents, public agencies, other individuals or organizations a method for receipt and resolution of complaints alleging violations in the administration of the programs. For a list of major programs included in the Elementary and Secondary Education Act and covered under this complaint policy and procedure, see Appendix A.

Submission of a Complaint

What is a complaint?

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

What information should a complaint include?

A complaint must identify:

- 1.the alleged ESEA violation;
- 2.the facts supporting the alleged violation; and
- 3.any supporting documentation.



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How and where should a complaint alleging a violation by a school, school district, or other agency authorized by a school district or the NJDOE be sent?

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 NJDOE Executive County Superintendent. A list of the NJDOE County Offices of Education and NJDOE Executive County Superintendents can be found at <http://www.state.nj.us/njded/regions/> or by calling (609) 292-4469.

How and where should a nonpublic school official submit a complaint alleging a violation by a school district?

To initiate a complaint that a school district has violated the administration of an education program, a nonpublic school official must submit a written complaint directly to the NJDOE Executive County Superintendent. A list of the NJDOE County Offices of Education and Executive County Superintendents can be found at <http://www.state.nj.us/njded/regions/> or by calling (609) 292-4469.

How and where should a complaint alleging a violation by the NJDOE be sent?

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 Assistant Commissioner, Division of Student Services at:

New Jersey Department of Education Assistant Commissioner, Division of Student Services P.O. Box 500 Trenton, New Jersey 08625-0500

Can any complainant alleging a violation submit the complaint to the United States Department of Education? A complainant can submit any written complaint to the Secretary, United States Department of Education at:

Secretary, United States Department of Education 400 Maryland Avenue, SW Washington, DC 20202-4611

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Investigation of a Complaint

What happens after a written complaint alleging a violation of law by a school, school district, or other agency authorized by a school district or the NJDOE is submitted to the NJDOE Executive County Superintendent? When a written complaint is received, the NJDOE issues a Letter of Acknowledgement to the complainant within ten (10) business days of receipt of the complaint. This letter contains the following information:

1. The date that the complaint was received;
2. A brief statement of the manner in which the department will investigate the complaint;
3. If necessary, a 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 of Education*; and
5. 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, NJDOE issues a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe.

What happens after a written complaint alleging a violation by the NJDOE is submitted to the Assistant Commissioner, Division of Student Services?

When a written complaint is received, the Assistant Commissioner assigns the investigation of the complaint to the appropriate office. The Office issues a Letter of Acknowledgement to the complainant within 10 business days of receipt of the complaint. The letter contains the following information:

1. The date that the complaint was received;
2. A brief statement of the manner in which the department will investigate the complaint;
3. If necessary, a request for additional information regarding the complaint;
4. A tentative resolution date that is 60 days from the date that the complaint was received **;
and
5. 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



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the complaint. If an extension is required, the designated office will issue a follow-up letter prior to the initial resolution date informing the complainant of the revised timeframe.

What information is sent about the investigation regarding an alleged violation by a school, school district, or other agency authorized by a school district or the NJDOE?

The NJDOE Executive County Superintendent coordinates the investigation of the complaint. When the investigation is complete, the NJDOE Executive County Superintendent notifies the complainant in writing regarding the outcome of the investigation. **What information is sent about the investigation concerning an alleged violation by the NJDOE?**

The Office assigned by the Assistant Commissioner coordinates the investigation of the complaint. When the investigation is complete, the Assistant Commissioner notifies the complainant in writing regarding the outcome of the investigation.

Resolution of the Complaint

How are violations by a school, school district, or other agency authorized by a school district or the NJDOE resolved?

If a violation has occurred, the Assistant Commissioner assigned to oversee the matter identifies and imposes the appropriate consequences or corrective action as required by regulation to resolve the complaint.

How are violations by the NJDOE resolved?

If a violation has occurred, the Assistant Commissioner identifies and imposes the appropriate consequences or corrective actions as required by regulation to resolve the complaint.



Bergen County Special Services

Bergen County Technical Schools

Bergen Workforce Center

Bergen County Technical High School

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Appeal Process

Can a complainant appeal the NJDOE's decision?

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

Secretary, United States Department of Education 400 Maryland Avenue, SW Washington, DC 20202-4611

The complainant must appeal no later than 30 days after the NJDOE resolves the complaint or fails to resolve the complaint within a reasonable period of time. The appeal must be accompanied by a copy of NJDOE's resolution of the complaint and a complete statement of reasons supporting the appeal.