

# REGULATION GUIDE

BAYONNE BOARD OF EDUCATION

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**Every Student Succeeds Act**  
Complaints  
Jan 21  
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## **R 2415.20 EVERY STUDENT SUCCEEDS ACT COMPLAINTS**

**The Every Student Succeeds Act (ESSA) requires the** Board of Education to adopt a policy and written procedures that offer parent(s) , public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the **ESSA** programs.

- A. Complaint Procedure Alleging a Violation by a School, School District, or Other Agency Authorized by the School District or the New Jersey Department of Education (NJDOE)
1. A complaint is an allegation **submitted in writing (mail or email) by an individual or organization** that a school, school district, or other agency authorized by the school district has violated the law in the administration of education programs required by the **ESSA**.
  2. A complaint **must identify at a minimum the following:**
    - a. The alleged **ESSA** violation;
    - b. **A description of previous steps taken to resolve the matter;**
    - c. The facts supporting the alleged violation **as understood by the complainant at the time of submission;** and
    - d. Any supporting documentation (**e.g., letters, emails, logs, agenda, meeting minutes**).
  3. A complaint **must** be submitted to the **Executive County Superintendent for the county where the school, school district, or other authorized agency is located** .
  4. When a written complaint is received by the Executive County Superintendent, the **Executive County Superintendent** will issue a Letter of Acknowledgement to the complainant within ten **calendar** days of receipt of the complaint. This letter **will** contain the following information:



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- a. The date the complaint was received;
  - b. A brief statement of the manner in which the **Executive County Superintendent** will investigate the complaint;
  - c. If necessary, a request for additional information regarding the complaint;
  - d. **A resolution date within forty-five calendar days from the date the written complaint was received by the Executive County Superintendent; and**
  - e. The name and **telephone** number of a contact person for status updates.
5. The **Executive** County Superintendent will coordinate the investigation of a complaint.
6. When the investigation is complete, the **Executive** County Superintendent will notify the complainant in writing regarding the outcome of the investigation.
- a. **If the Executive County Superintendent determines a violation has occurred, the Executive County Superintendent will identify and impose the appropriate consequences or corrective action as required in accordance with statute and/or regulation to resolve the complaint.**
  - b. **If the complainant is not satisfied with the determination that is made by the Executive County Superintendent, the complainant may submit a written request for review of that determination to the Assistant Commissioner, Division of Learning Supports and Specialized Services via email at [essa@doe.nj.gov](mailto:essa@doe.nj.gov) with subject line "ESEA Complaint Decision Review" or via hard copy at the following address:**



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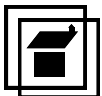
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**New Jersey Department of Education  
Assistant Commissioner  
Division of Learning Supports and Specialized Services  
P.O. Box 500  
Trenton, New Jersey 08625-0500**

**B. Complaint Procedure Alleging a Violation by the New Jersey Department of Education (NJDOE)**

1. A complaint is a written allegation the NJDOE has violated the law in the administration of education programs required by the **ESSA**.
2. A complaint **must identify at a minimum the following:**
  - a. The alleged **ESSA** violation;
  - b. **A description of previous steps taken to resolve the matter;**
  - c. The facts supporting the alleged violation **as understood by the complainant at the time of submission;** and
  - d. Any supporting documentation (e.g., **letters, emails, logs, agenda, meeting minutes**).
3. To initiate a complaint alleging the NJDOE has violated the administration of an **ESEA** program, a complainant must submit a written complaint to the New Jersey Department of Education – **Assistant Commissioner, Division of Learning Supports and Specialized Services via email at [essa@doe.nj.gov](mailto:essa@doe.nj.gov) with subject line “ESEA Complaint or via hard copy sent to the following address:**

**New Jersey Department of Education  
Assistant Commissioner  
Division of Learning Supports and Specialized Services  
P.O. Box 500  
Trenton, New Jersey 08625-0500**



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4. When a written complaint is received by the NJDOE, **an Assistant Commissioner** will assign the investigation of this complaint to the **appropriate** office. **The NJDOE** will issue a Letter of Acknowledgement to the complainant within ten **calendar** days of receipt of the complaint. This letter shall contain the following information:
  - a. The date the complaint was received;
  - b. A brief statement of the manner in which the **NJDOE** will investigate the complaint;
  - c. If necessary, request for additional information regarding the complaint;
  - d. **A resolution date within forty-five calendar days from the date the complaint was received; and**
  - e. The name and **telephone** number of a contact person for status updates.
  
5. The NJDOE Office **assigned by the Assistant Commissioner to investigate** a complaint concerning an alleged violation by the NJDOE **will coordinate the investigation of the complaint**. When the investigation is complete, the **Assistant Commissioner** will notify the complainant in writing regarding the outcome of the investigation.
  - a. **If the NJDOE Office assigned by the Assistant Commissioner of Education determines** a violation by the NJDOE has occurred **after conducting an investigation, the Assistant Commissioner will identify and impose appropriate consequences or corrective action in accordance with the statute and/or regulation** to resolve the complaint.



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- b. **If the complainant is not satisfied with the NJDOE's decision, the complainant may request a review of the NJDOE's decision to the Secretary of the United States Department of Education (USDOE). The complainant may send the request, reasons supporting the request, and a copy of NJDOE's resolution to the following address: Secretary, United States Department of Education 400 Maryland Avenue, SW Washington, DC 20202-4611**

New Jersey Department of Education – **Every Student Succeeds Act (ESSA) in New Jersey ESEA** Complaint Policy and Procedures

Adopted: 31 October 2017

**REVISED: April 27<sup>th</sup>, 2021**

