

Regulation

EQUAL EDUCATIONAL OPPORTUNITY

- A. A complainant shall discuss his/her complaint with the staff member most closely involved, in an attempt to resolve the matter informally;
- B. If the matter is not resolved to the satisfaction of the complainant within fifteen working days, the complainant may submit a written complaint to the principal within five working days. The complaint will include:
 - 1. The student's name and, in the complaint of a person acting on behalf of the student, the name and address of the complainant;
 - 2. The specific act or practice that the complainant complains of;
 - 3. The school employee, if any, responsible for the allegedly discriminatory act;
 - 4. The results of discussions conducted;
 - 5. The reasons why those results are not satisfactory;
 - 6. If the complaint is against the principal, the complaint will be filed with the assistant chief school administrator for curriculum, instruction and assessment;
- C. The principal will investigate the matter informally and will respond to the complainant in writing no later than fifteen (15) working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Assistant chief school administrator;
- D. The response of the principal may be appealed to the chief school administrator in writing within fifteen (15) working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complainant, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily;
- E. On his/her timely request (that is, submitted before the expiration of the time within which the chief school administrator must render a decision), the complainant will be given an informal hearing before the chief school administrator, at a time and place convenient to the parties, but no later than fifteen (15) working days after the request for a hearing has been submitted. The chief school administrator may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of;
- F. The chief school administrator will render a written decision in the matter no later than fifteen (15) working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the board of education;
- G. The complainant may appeal the chief school administrator's decision to the board by filing a written appeal with the board secretary no later than fifteen (15) working days after receipt of the chief school administrator's decision. The appeal will include:
 - 1. The original complaint;
 - 2. The response to the complaint;
 - 3. The chief school administrator's decision;
 - 4. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented;
 - 5. The complainant's reason for believing the chief school administrator's decision should be changed.
- H. A copy of the appeal to the board must be given to the staff member, if any, charged with a discriminatory act;

EQUAL EDUCATIONAL OPPORTUNITY (regulation continued)

- I. The board will review all papers submitted and may render a decision on the basis of the proceedings below; If the complainant so requests, the board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath;
- J. The board will render a written decision no later than 30 calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties;
- K. The complainant will be informed of his/her right to appeal the board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the student's cumulative file. A notation shall be made in the student's file of the existence of the record in the separate file.

Adopted:	October 13, 2004
NJSBA Review/Update:	June 2015
Readopted:	August 12, 2015