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, **o**r 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~~,~~ or 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. 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:

   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 actions 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 with subject line "ESEA Complaint Decision Review" or via hard copy at 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

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 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

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.

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: June 17, 2021
Revised: May 15, 2025