

**Regulation**

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COMMUNITY COMPLAINTS AND INQUIRIES

The River Edge School District encourages anyone having a complaint concerning personnel, programs or any other matters to bring the matter to the attention of the district.

General Complaints Concerning School Operations

- A. Any member of the community may submit a complaint to the office superintendent;
- B. Complaints should be submitted in writing and signed by the complainant. Anonymous complaints shall not be investigated unless issues of health and safety are involved. The superintendent shall determine if an anonymous complaint shall be investigated;
- C. The superintendent shall respond to all inquiries about district issues. When appropriate, he/she may require the issue to be put in writing. In the response, he/she shall indicate:
  - 1. Whether he/she legally can provide the information requested;
  - 2. When the information requested will be available;
  - 3. Whether the response will be given orally at a board meeting or in writing to the questioner:
    - a. If the information is of general interest, it will be given publicly at a board meeting and every attempt shall be made to respect and protect the confidentiality of those involved.
    - b. If the information is personal, or of interest only to the respondent, it will be given in writing. The board shall be copied on the written response unless privacy or legal issues prohibit such action.
  - 4. How the questioner will be notified of the date and time of the board meeting if the response is to be given publicly.
  - 5. Whether there will be any charge for duplication of materials and what those charges might be.
- D. Questions and/or complaints about board actions or operations may be made at the appropriate time during public board meetings (see policies 1120 Board of Education Meetings and 9322 Public and Executive Session) or in writing to the board secretary.

Complaints Concerning Students

- A. Community, parental and student complaints and/or criticisms shall be handled according to the chain of command. Complaints concerning instruction, discipline or learning materials shall be addressed in the following order to ensure prompt and meaningful resolution:
  - 1. Teacher;
  - 2. Supervisor;
  - 3. Principal;
  - 4. Superintendent;
  - 5. Board of education.
- B. Any administrator, receiving a complaint, shall refer the complainant to the appropriate individual in the chain of command;
- C. Board members who are contacted with complaints shall refer the complainant to the superintendent who shall refer the issue to the appropriate individual in the chain of command;

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- D. Initially, an attempt shall be made to resolve the issue informally with the individuals involved. If informal attempt at resolution is not successful, the complainant shall put the complaint in writing and submit the complaint to the individual's immediate supervisor within 14 days;
- E. The written complaint for shall include:
  - a. Submission date of the complaint;
  - b. Name and contact information of the complainant;
  - c. Date(s) of the incident(s) and/or subject of the complaint;
  - d. Description of incident and/or subject of the complaint;
  - e. Names of persons involved;
- F. The immediate supervisor shall have 10 school days (defined as days when both staff and students are in attendance at school) to provide a written response;
- G. The decision of the supervisor may be appealed to the principal;
- H. The decision of the principal may be appealed to the superintendent.

Appeal to the Board of Education

- A. A complaint that is not resolved to the complainant's satisfaction following appropriate action through the chain of command or that seeks a remedy beyond the superintendent's jurisdiction may be appealed to the board of education;
- B. The complainant may, upon receipt of the superintendent's written disposition, submit a written request for a hearing before the board. The request will include a description of the superintendent's disposition of the complaint;
- C. The board shall review the appeal and the documentation of the complaint from the complainant and the superintendent. If it is the decision of the board to support the disposition of the complaint by the superintendent, no board hearing shall be conducted. The complainant shall be informed in writing of the decision of the board;
- D. When the board disagrees with the disposition of the complaint by the superintendent or the board requires more information, the board shall conduct a hearing in closed session of the board, in which the complainant will present his/her complaint. The board may, on the petition of the complainant, permit the examination of witnesses. The board may permit the teaching staff member complained of to testify in his/her own behalf;
- E. The board shall advise the complainant in writing of the board's decision;
- F. The complainant will be advised that the board's decision may be appealed to the Commissioner of Education.

*Note: The board shall hear as required by law any appeals made to the board for short and long term suspension, mandatory removal of students (drug/alcohol possession and weapons), harassment, intimidation and bullying and other complaints as required by law.*

Procedure for Every Student Succeeds Act (ESSA) of 2015 Complaints And Inquiries

- A. The board of education welcomes inquiries about and constructive criticism of the district's ESSA programs, equipment, operations and personnel. 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 may be referred to the board of education for resolution.

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- B. Parents and community members who have specific concerns concerning the administration of education programs required by the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) should first attempt to settle their concerns locally as described above. If issues still remain, a complaint may be filed with either New Jersey or the United States government.
- C. A complaint is a written allegation that a school, school district, other agency authorized by a school district or the New Jersey Department of Education (NJDOE), or NJDOE has violated the law in the administration of education programs required by the ESSA. A complaint shall identify:
1. The alleged ESSA violation;
  2. The facts supporting the alleged violation;
  3. Any supporting documentation.
- D. 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, attention Bergen County Executive Superintendent. An allegation may be submitted in writing or electronically. If a complaint is submitted electronically, a hard copy should also be sent to the NJDOE via regular mail.
- E. A copy of the New Jersey procedures for processing the complaint may be obtained from the Office of the Bergen County Executive Superintendent.
- F. The New Jersey procedures require that the executive county superintendent coordinate the investigation of the complaint. When the investigation is complete, the executive county superintendent will notify the complainant in writing regarding the outcome of the investigation. If a violation has occurred, the assistant commissioner assigned to oversee the matter shall identify and impose the appropriate consequences or corrective action as required by regulation to resolve the complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to:

United States Department of Education Secretary  
 Office of Hearings & Appeals  
 400 Maryland Avenue, SW  
 Washington, DC 20202-4611  
 (202) 619-9700  
 www.ed-oha.org

- G. To initiate a complaint against the NJDOE alleging a violation of the administration of a program, a written complaint should be submitted to:

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

- H. If the complainant is unsatisfied with the resolution or the process, the complaint may be submitted to:

United States Department of Education Secretary  
 Office of Hearings & Appeals  
 400 Maryland Avenue, SW  
 Washington, DC 20202-4611  
 (202) 619-9700.

NJSBA Review/Update: August 2017  
 Adopted: September 27, 2017