

**MELODY ARONS CENTER  
OF APPLIED PRESCHOOL RESEARCH & EDUCATION, INC.  
210 Carlton Terrace, Teaneck, New Jersey 07666**

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August 11, 2014

Mary E. O'Dowd, Commissioner  
Department of Health  
Division of Family Services  
P.O. Box 364  
Trenton, New Jersey 08615

Terry Harrison  
Part C Coordinator  
Department of Health  
Division of Family Health Services  
P.O. Box 364  
Trenton, New Jersey 08625

**RE: REQUEST FOR COMPLAINT INVESTIGATION CONCERNING THE CENTRAL  
DIRECTORY AT PART C OF IDEA**

Dear Ms. O'Dowd and Ms. Harrison,

My last communication to you on behalf of our Center was on September 23, 2013. In the intervening 11 months you never answered or acknowledged my letter regarding the State's development of the central directory and our exclusion from it. Therefore, on behalf of the Melody Arons Center, we are left with no choice but to make this formal complaint, seeking a complaint investigation pursuant to 34 CFR 300.151 et seq. You have 60 days from the receipt of this complaint to investigate and provide a written decision as to why we are not listed in New Jersey's central directory.

1. N.J.A.C. 8:17-1.3 defines "central directory" as a "compilation of information and resources, also known as the Resource Directory, developed by the Department of Human Services for public use in accessing services and assistance available in New Jersey including procedures for making referrals." This regulatory language limits the information available to parents when contrasted with the federal language at 34 CFR 303.117.
2. Part C of IDEA defines the central directory (34 CFR 303.117).  
Each system **must** include a central directory that is accessible to the general public (i.e., through the lead agency's Web site and other appropriate means) and includes accurate, up-to-date information about-
  - (a) Public and **private** early intervention services, resources, and **experts** available in the State;

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(b) Professional and **other** groups (including **parent support**, and **training** and information centers, such as those funded under the Act) that provide assistance to infants, toddlers with disabilities eligible under part C of the Act and their families; and

**(c) Research and demonstration projects being conducted in the State relating to infants and toddlers with disabilities.** (Highlighting added)

This federal language includes:

1. The listing of private early intervention services;
2. Experts in the state;
3. Research and demonstration projects.

The New Jersey regulations exclude these requirements. Resources chosen by the Department of Human Services for the central directory is impermissibly narrow, thereby limiting access of parents to services, experts, and research and demonstration projects. All of these are available at our Center as the State knows. We have requested placement on this list and have never received an explanation by Ms. O'Dowd for the State's justification in excluding the Melody Arons Center.

3. Our organization has been treated inequitably by NJEIS and the Department of Human Services as compared to those organizations and agencies selected for placement in the central directory. No criteria for placement on this list has been disclosed or made public. Therefore, we allege that our continued exclusion is retaliatory because of our aggressive advocacy for children and families since 1977, and specifically for infants, toddlers, and their families since 2001. The refusal of Ms. O'Dowd to answer my letter of September 23, 2013 speaks to the unreasonableness and highly political nature of NJEIS and the Department of Human Services by selecting only those they fund and control and whose activities they support. In summary, our treatment by the state constitutes discrimination.

All documentation has been provided throughout the past year to the State and to OSERS to support the allegations in this complaint. The Musgrove to Arons letter of September 24, 2013 stated, "...a State is in the best position to decide the specific criteria it will use to determine which information is included in the State's central directory, as long as the information included is consistent with the requirements of 34 CFR 303.117". Our organization alleges that the only specific criteria used by New Jersey is to be a public agency that is publicly funded, and that will not substantively challenge State policies in early intervention. That violates the federal requirements of the central directory and the plain language of the federal regulation regarding its contents.

I look forward to your reply and its accompanying documentation on or before October 6, 2014.

Sincerely,

Marilyn Arons, M.S.  
Director

Cc: Melody Musgrove  
MAC Board of Trustees