



1690 Woodlands Dr.  
Suite 200  
Maumee, OH 43537  
[ohva.k12.com](http://ohva.k12.com)

### Notice of Grievance for Students on a 504 Plan

The first step in resolving a complaint should involve the 504 Coordinator working with the parent to a mutually acceptable resolution of the parent's concern(s). If the concern(s) cannot be resolved informally, the parent may seek formal resolution under the complaint process.

The parent can file a complaint through the complaint resolution process:

1. The parent should complete and submit a complaint in writing.
2. The school 504 Coordinator or designee will review the complaint and decide whether to seek to mediate the dispute between the parent and school or refer the matter for an impartial due process hearing. The 504 Coordinator has a responsibility to meet with the parent to hear the parent's concerns.

If a parent does not agree to mediation, the matter must be referred for due process. Mediation may not be used to deny a parent the right to due process.

If the complaint asserts allegations of discrimination carried out by employees, other students, or third parties, the complaint will be investigated as provided by OHVA policies and these procedures. If the complaint challenges a 504 Team determination regarding eligibility, evaluation, or the content of the 504 Plan, the complaint will be referred for due process hearing.

OHVA will take steps to prevent recurrence of any harassment or other discrimination, and to correct discriminatory effects on the complainant and others, if appropriate. OHVA prohibits retaliation against any complainant.

#### (A) Complaint.

File a written complaint with the school when you believe your child's rights have been violated. You must submit this complaint to the building level 504 coordinator.

#### 504 Coordinators:

K-8 -- Bonnie McAtee [bmcatee@ohva.org](mailto:bmcatee@ohva.org) (419) 482-0948 Ext: 7018

High School -- Beth Strbik [estrbik@ohva.org](mailto:estrbik@ohva.org) (419) 482-0948 Ext: 7179

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Upon receipt, the building level coordinator or his/her designee will conduct an adequate, reliable, and impartial investigation of complaints, including an opportunity for the complainant to present witnesses and other evidence. The building level coordinator or his/her designee will submit a written report of findings to the complainants and any person who is accused of discriminating or retaliating or otherwise violating Section 504 and/or Title II within ten (10) instructional days. Complainant may then submit a letter of appeal to the Special Education Manager. Within ten (10) instructional days from receipt of the letter, the Special Education Manager will submit a response letter to complainant and any person who is accused of discriminating or retaliating or otherwise violating Section 504 and/or Title II. If complainant would like to appeal the Special Education Manager's response, any appeal must be submitted in writing to the Senior Head of Schools. The Senior Head of Schools must reply within ten (10) instructional days. Note that complainant may file a complaint with the Office for Civil Rights at any time.

A complainant may always file a written complaint with the U.S. Department of Education, Office for Civil Rights, 1350 Euclid Ave., Suite 325, Cleveland, OH 44115.

(B) Due Process.

If the complaint challenges a 504 Team determination regarding the evaluation, eligibility or content of a student's 504 Plan, the matter is referred for a due process hearing.

The Special Education Manager will promptly refer the complaint for a due process hearing conducted by hearing officer. The hearing officer must have knowledge of a Section 504 Plan and must not be an employee of the school. A due process hearing will occur in a timeframe that is reasonable for the parent and school. The parent and/or the school may be represented by legal counsel at the hearing. The parent or attorney may present evidence and/or testimony supporting the parent's challenge to the 504 Team determination. The school may respond by presenting evidence and/or testimony to support the 504 Team determination. Parents will be provided with access to any evidence prior to the hearing. The written decision will advise the parent that he or she may also file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education, 1350 Euclid Ave., Suite 325, Cleveland, OH 44115.