

THE ODYSSEY PREPARATORY ACADEMY SECTION 504 COMPLAINT/GRIEVANCE PROCEDURES

It is the policy of the Odyssey Preparatory Academy (“TOPA”) not to discriminate on the basis of disability in its programs and activities. TOPA has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) or by Title II of the Americans with Disabilities Act.

Section 504 and Title II prohibit discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

TOPA’s Director of Special Education/Section 504-Title II Coordinator has been designated to coordinate the efforts of TOPA to comply with Section 504 and Title II. The Director of Special Education/Section 504-Title II Coordinator can be reached at:

Section 504-Title II Coordinator
1495 S. Airport Rd.
Buckeye, AZ 85326
623-327-1757 (Phone)
623-327-0554 (fax)
Holly Johnson (hjohnson@topamail.com)

Any person who believes she or he has been subjected to discrimination, harassment, or retaliation on the basis of disability may file a grievance under this procedure. TOPA prohibits retaliation against anyone who files a grievance or cooperates in the investigation of a grievance.

Procedure:

- Grievances must be submitted to the Section 504/Title II Coordinator within six months of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint should be, but is not required to be, in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought. If the Complainant is unable to put the complaint in writing, TOPA shall provide reasonable accommodations to assist the Complainant with submission of his/her complaint. (Note: Please see the attached Complaint form, which may be used to file a complaint in conformance with these procedures).
- The Section 504/Title II Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint, including the opportunity to present witnesses. The Section 504/Title II Coordinator will maintain the files and records of TOPA relating to such grievances.

The Section 504/Title II Coordinator will issue a written decision on the grievance no later than 30 days after its filing, unless extenuating circumstances require an extension

- of the 30 day timeline. In such a case, the Section 504/Title II Coordinator (or her/his designee) will communicate with the Complainant concerning the need for an extension.
- The person filing the grievance may appeal the decision of the Section 504/Title II Coordinator by writing to TOPA's Co-Directors within 15 calendar days of receiving the Section 504/Title II Coordinator's decision. The Co-Directors shall issue a written decision in response to the appeal no later than 30 calendar days after its filing.
- TOPA shall maintain confidentiality as required by the Family Educational Rights and Privacy Act (FERPA).
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Education, Office for Civil Rights.

TOPA will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, providing a scribe for submission of the complaint, or assuring a barrier-free location for the proceedings. The Section 504/Title II Coordinator will be responsible for such arrangements.

3. Please describe how you would like to see this issue resolved.

4. Do you wish this complaint to be investigated and addressed by TOPA's Director of Special Education/504-Title II Coordinator or Designee? Yes No

5. Do you wish this complaint to be referred for due process hearing? (A due process hearing is conducted by an impartial hearing officer appointed by TOPA. You may be represented by legal counsel at your expense.)
 Yes No

PLEASE RETURN THIS FORM TO TOPA'S DIRECTOR OF SPECIAL EDUCATION/SECTION 504 -TITLE II COORDINATOR.