



Discrimination or Section 504 Non-Compliance Internal Complaint Process

The Bentonville Schools Discrimination or Section 504 Complaint Process outlines the rights of students and parents and aims to ensure a prompt, fair resolution of any discrimination or Section 504 complaints. [BSD Board Policy Equal Educational Opportunity](#) prohibits discrimination on the basis of color, disability, national origin, race, religion, or sex. It complies with several laws, including [Title VI](#), [Title IX](#), and [Section 504](#). Retaliation against anyone who reports issues is prohibited.

1. Students or parents may use this process for the following:
 - a. To file a discrimination complaint alleging a discriminatory act or any form of discrimination.
 - b. To file a grievance complaint alleging a Section 504 violation or non-compliance.
2. This process may not be used:
 - a. To challenge an IEP or 504 Committee's decisions regarding eligibility, accommodations, modifications, or change of placement.
 - i. Refer to "[Your Rights Under IDEA](#)" or "[Section 504 Impartial Hearings](#)" for information on due process rights and next steps.
 - b. To challenge a student's assigned disciplinary action or to raise concerns with a BSD staff member.
 - i. Refer to [BSD Policy 4.32.1 Complaints Concerns](#).

Discrimination or Section 504 Non-Compliance Complaint Process Steps:

1. Initial Meeting: If the allegation involves a staff member rather than another student, the Complainant (student or parent) should meet with that person first.
 - a. If the allegation does not concern a staff member, the Complainant may ask for a meeting with the Head Building Principal.
2. File a Discrimination or Section 504 Non-Compliance Complaint: If the Complainant is dissatisfied with the outcome of the meeting with the Principal, they may submit a written complaint to the Director of Compliance within 30 days.
 - a. The written complaint must include the following:
 - i. Student's (Complainant) name, grade, school, and Parent/Guardian names
 1. The Complainant's protected class, if discrimination is alleged
 2. The Complainant's 504 impairment, if Section 504 non-compliance is alleged
 - ii. Evidence relevant to the alleged complaint, with specific details
 - iii. A desired outcome or remedy
3. Complaint Review: The Director of Compliance will review the complaint and provide a written decision within 30 days.
4. The process will be informal yet thorough, allowing all parties to submit relevant evidence.
5. Appeal: If the Complainant is dissatisfied with the decision, they may appeal to the Superintendent or their Designee within 15 days of receiving the decision from the Director of Compliance.
6. Final Decision: The Superintendent or Designee will issue a final decision within 30 days.

The use of this internal complaint process does not preclude a parent from filing a discrimination or 504 non-compliance complaint with the Office for Civil Rights.