

Resolution Agreement  
Tricoci University of Beauty Culture  
OCR Complaint #05-16-4015

Tricoci University of Beauty Culture (University) enters into the following Agreement with the U.S. Department of Education, Office for Civil Rights (OCR) in resolution of OCR case #05-16-4015. The University agrees to the terms in this Agreement to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794.

By submitting this Agreement, the University is not admitting non-compliance with Section 504 or any of its implementing regulations, nor is the Office for Civil Rights making any findings as to whether the University has complied or failed to comply with Section 504 and its implementing regulations.

1. By August 1, 2016, the University will review and revise the procedures by which students register for and receive academic adjustments for their disabilities to ensure the procedures comply with Section 504. OCR will review the revised procedures to ensure that the revisions meet the procedural requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.43(a) and 104.44(a) in making these determinations. OCR makes the following recommendations for revisions:
  - a. The University will consider whether its *IEP Acknowledgement Form* serves to streamline the process by which students register for and receive academic adjustments for their disabilities under Section 504. If the University determines that this form does not serve such a purpose it will discontinue its use. If, however, the University believes this form serves to streamline the process it will modify the *IEP Acknowledgement Form* to include a provision clearly indicating that a student's submission of the form does not trigger the University's obligations under Section 504. OCR recommends the University to modify this form to require only one signature on the University's behalf.
  - b. In the January 2016 Student Catalog at page 21, in the section entitled *Section 8: Other Consumer Information, Students with Disabilities*, the University will review and revise the opening paragraph to accurately reflect the University's obligations to students with disabilities (The Individuals with Disabilities Education Act does not apply to the University). The University will delete the last sentence of the opening paragraph if it determines it is not necessary or revise to make its intent clear.
  - c. In the January 2016 Student Catalog at page 22, in the section entitled *Section 8: Other Consumer Information, Procedures for Requesting Section 504 Accommodations*, the University will modify this section to make clear that submission of a student's Individual Education Plan does not guarantee that the student will receive academic adjustments from the University.
  - d. In the University's Standard Operating Procedure for the 'Section 504 Student Process' the University will ensure that this document accurately and clearly reflects the process available to students to obtain academic adjustments, including that a student may obtain an application and instructions on the application process from either the General Manager or the Section 504 Administrator.

- e. The University will review its program application to ensure that it complies with Section 504.

REPORTING REQUIREMENT: By September 1, 2016, the University will provide OCR with documentation that it has fully satisfied the terms of item # 1 of this Agreement. Within 30 days of OCR's approval of the revised procedures, the University will provide documentation that it has made changes to all paper and electronic versions of the identified documents.

2. By December 1, 2016, the University will train each administrator or staff member, whether at the University's headquarters or at a satellite campus location, involved in the receipt, implementation or evaluation of an application for academic adjustments on the University's revised policies identified in item #1 above.

REPORTING REQUIREMENT: By December 15, 2016, the University will provide OCR with documentation that it has satisfied item #2 above.

3. By August 1, 2016, the University will begin storing every document related to a student's request for academic adjustments at the location at which the student is enrolled. The University may keep duplicate files at its main office in Oak Brook, Illinois.

REPORTING REQUIREMENT: By September 1, 2016, the University will provide OCR with documentation that it has satisfied item #3 above.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the University understands that during the monitoring of this Agreement, OCR may visit the University, interview staff and students and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §104.43(a) and 34 C.F.R. §104.44(a), which were at issue in this complaint.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §104.43(a) and 34 C.F.R. §104.44(a).

The recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Tricoci University of Beauty Culture:

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Date