



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN STREET, SUITE 1620
DALLAS, TEXAS 75201-6831

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

Ms. Michelle Hays & Ms. JoAnne Nelson, Owners
Pineville Beauty School
1008 Main Street
Pineville, LA 71360

RE: OCR Complaint No. 06144013
Pineville Beauty School

Dear Ms. Hays & Ms. Nelson:

The U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office, has completed its investigation of the above-referenced complaint, which was received in this office on January 28, 2014. In this complaint it was alleged that the Pineville Beauty School (PBS), Pineville, Louisiana, discriminated against the complainant's client on the basis of disability (Deaf). Specifically, the complainant alleged that in Fall 2013, the PBS denied her client admission into its cosmetology program because of her disability.

This agency is responsible for determining whether entities that receive or benefit from Federal financial assistance from the Department or an agency that has delegated investigative authority to this Department are in compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, (amended 1992), and its implementing regulation, at 34 C.F.R. Part 104 . Section 504 prohibits discrimination on the basis of disability. The PBS, a private and proprietary career and vocational school, is a recipient of Federal financial assistance from the Department of Education. Therefore, OCR has jurisdictional authority to process this complaint for resolution under Section 504.

On May 12, 2014, the PBS requested to voluntarily resolve the complaint allegation prior to OCR's completion of its investigation. Section 302 of OCR's *Case Processing Manual (CPM)* provides that a complaint may be resolved when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint. Consistent with Section 302 of the CPM, the PBS submitted the enclosed Resolution Agreement (Agreement) on July 7, 2014, which OCR has determined addresses the compliance issues alleged in the complaint and which, when fully implemented, will resolve this complaint.

Accordingly, as of the date of this letter, OCR will cease all investigative actions regarding the issue of this complaint. However, OCR will actively monitor the PBS implementation of the Agreement to determine whether the commitments made therein have been implemented

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consistently with the terms of the Agreement. Please be advised that if the PBS fails to adhere to the actions outlined in the Agreement, OCR will immediately resume its compliance efforts.

Effective the date of this letter, OCR is closing the investigative portion of this case. This concludes OCR's investigation of the complaint and should not be interpreted to address the recipient's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. Please also note that the complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that a recipient may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions or concerns, please contact Mrs. Sharon A. Gilmore, Equal Opportunity Specialist, at (214) 661-9616, or Adriane Martin, Team Leader, at (214) 661-9678.

Sincerely,

Taylor D. August
Director, Dallas Office
Office for Civil Rights

Enclosure