

RESOLUTION AGREEMENT
Pineville Beauty School
OCR Complaint Number 06144013

The Pineville Beauty School (PBS) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, PBS commits to the following actions to ensure that it has achieved compliance with the requirements of 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.

PBS understands that, by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, PBS understands that, during the monitoring of this Agreement, OCR may visit PBS, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether PBS has fulfilled the terms of this Agreement and is in compliance with the provisions of Section 504 applicable to this complaint.

PBS understands that OCR will not close the monitoring of this Agreement until OCR determines that PBS has fulfilled the terms of this Agreement and is in compliance with the requirements of 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.

PSB 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 PBS written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach. This Agreement does not constitute an admission by the PBS that it violated Section 504 or otherwise engaged in any wrong doing. The District hereby voluntarily commits to the following:

Action Items

By July 15, 2014:

1. The PBS will devise a Nondiscrimination Statement so that it is in compliance with the requirements under 34 C.F.R. 104.8. Such Nondiscrimination Statement may be developed from information found at <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>.
2. The PBS will develop written policies and procedures for students to request and obtain academic adjustments and auxiliary aids and services (hereinafter referred as “new policies and procedures”) that are in compliance with the requirements under 34 C.F.R. 104.44.

Reporting Requirements

By July 31, 2014, the PBS will provide to OCR for review and approval:

- a. A copy of the Nondiscrimination Statement required under Action Item 1.
- b. A copy of the policies and procedure required under Action Item 2.

Action Item

Within 30 days of OCR's approval of the documents submitted pursuant to Action Items 1 and 2:

3. The PBS will publish and disseminate written notice of the Nondiscrimination Statement and the new policies and procedures. The PBS will make this notification by placing a hardcopy of the Nondiscrimination Statement and new policies and procedures in all new student orientation packets, student catalogs and employee handbooks; by sending the documents via electronic mail to students and employees; and by conspicuously posting them on the PBS website and onsite (e.g., bulletin boards, wall).

Reporting Requirement

Within 45 days of OCR's approval of the PBS's revised Non-Discrimination Statement and new policies and procedures, the PBS will provide to OCR evidence demonstrating the completion of Action Item 3. Such evidence may include copies of the notices disseminated in orientation packets, catalogs and handbooks; proof of electronic messages sent to students and employees; printouts of postings from the PBS website, etc.

Action Item

Within 60 days of OCR's approval of the revised Non-Discrimination Statement and new policies and procedures:

4. The PBS will provide training to all staff regarding its obligations under Section 504 to provide academic adjustments and auxiliary aids and services to its students. During the training, the new policies and procedures will be covered. The role and obligations of the person(s) designated to handle requests for academic adjustments and auxiliary aids/services will be discussed as well as the role of the rest of the staff (instructors, administrators, etc.).

Reporting Requirement

Within 30 days of completing the above, the PBS will provide to OCR documentation evidencing the training (i.e., materials covered, date conducted, name and qualifications of instructor providing the training, and roster with printed and signed names of individuals in attendance) identified in Action Item 4 above.

Action Item

By August 15, 2014:

5. The PBS will offer the complainant's client admission into its program. If the client decides to attend PBS, the PBS will allow her to use an interpreter in her classes. The PBS will process any request by the complainant's client for other academic adjustments and auxiliary aids and services in accordance with 34 C.F.R. 104.44 and with PBS new policies and procedures (if approved and in effect at the time of the processing of the request) .

Reporting Requirement

By September 30, 2014, the PBS will provide to OCR documentation evidencing its compliance with Action Item 5 above (i.e., a copy of the letter sent, documentation of the complainant's acceptance or denial of admission offer, a copy of certified mail receipt, etc.)

Ms. Michelle Hays & Ms. JoAnne Nelson, Owners
Pineville Beauty School