

## RESOLUTION AGREEMENT

### Aveda Institute New Mexico OCR Case Number 08-17-2140

In order to resolve allegations in OCR case number 08-17-2140 filed against Aveda Institute New Mexico (Institute) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the Institute agrees to implement this Resolution Agreement. This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.7-104.8, which were at issue in this case.

1. ***Section 504 Grievance Procedures, Notice of Section 504 Compliance Officer, and Notice of Non-Discrimination:*** The Institute will develop policies and procedures for responding to disability discrimination complaints, will develop a notice of nondiscrimination and provide notice of its compliance officer in accordance with the Section 504 regulation at 34 C.F.R. §§ 104.7–104.8.

#### REPORTING REQUIREMENT 1:

- a. By **October 31, 2017**, the Institute will submit to OCR for review and approval the Institute's draft policies and procedures for responding to disability discrimination complaints and its draft notice of nondiscrimination and notice of its Section 504 compliance officer.
  - b. Within 60 days of OCR's approval of the Institute's grievance policies and procedures, and notices of nondiscrimination and Section 504 compliance officer, the Institute will adopt the approved policies and procedures and notices, and publish these to Institute students. Publication may be accomplished by placing information regarding the grievance policies and procedures, notice of the Section 504 compliance officer, and notice of nondiscrimination on the Institute's website with links to those posted on its website and in the Institute's student handbook.
  - c. Within 60 days of OCR's approval of the grievance policies and procedures, and notices, the Institute will provide OCR with supporting documentation showing the approved policy and procedures have been adopted and published to students as required. Supporting documentation will include 1) links to the grievance policies and procedures, notice of Section 504 compliance officer and notice of nondiscrimination posted on the Institute's website, 2) student handbook(s) or 3) other similar documents notifying students of the OCR-approved Section 504 grievance policies and procedures, notice of the Section 504 compliance officer, and notice of nondiscrimination.
2. The Institute will ensure that the OCR-approved Section 504 grievance policies and procedures, notice of Section 504 compliance officer, and notice of non-discrimination are disseminated to all employees of the Institute. The Institute will train all employees on the new grievance policies and procedures within 60 days of OCR's approval.

**REPORTING REQUIREMENT 2:**

- a. Within 60 days of OCR's approval of the policies and procedures, the Institute will provide OCR with a copy of the training agenda, training materials, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
  - b. Within 60 days of OCR's approval of the trainer and training materials, the Institute will provide OCR with a copy of all handouts provided during or before the training, and a sign-in sheet for those employees who attended the training.
3. The Institute will update its website to ensure clear and simple access to information regarding the Institute's Section 504 compliance officer, notice of nondiscrimination and Section 504 grievance procedures, including accurate links to discrimination policies and procedures.

**REPORTING REQUIREMENT 3:** Within 60 days of OCR's approval of the Institute's Section 504 policies and procedures and notices, the Institute will provide OCR with links demonstrating clear and simple access to information regarding its Section 504 compliance officer, notice of non-discrimination, and grievance procedures.

4. The Institute will identify and annually train employee(s) who are responsible for responding to disability discrimination complaints. The training will include the obligation of employees to refer potential discrimination complaints to the Institute's Section 504 compliance officer in accordance with the approved Institute policies and procedures.

**REPORTING REQUIREMENT 4:**

- a. Within 60 days of OCR's approval of the policies and procedures, the Institute will provide OCR with a copy of the training agenda, training materials, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
- b. Within 60 days of OCR's approval of the trainer and training materials, the Institute will provide OCR with a copy of all handouts provided during or before the training, a list of all staff identified to receive the training, and a sign-in sheet for those attending the training.

The Institute understands 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 Institute written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Institute understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the Institute understands that during the monitoring of the Agreement, if necessary, OCR may visit the Institute, interview Institute employees and students, and request such additional reports or data as are necessary for OCR to determine whether the Institute has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 of the Rehabilitation Act of 1973 at 34 C.F.R. §§ 104.7-104.8, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

For Aveda Institute New Mexico:

/S/

August 18, 2017

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Mark Gonzalez  
Owner

Date