



## IBS School of Cosmetology and Massage Disability Policy

### Accommodation Procedures for Students with Disabilities

#### **Statement of Non-Discrimination**

It is the policy of IBS School of Cosmetology and Massage (IBS) to comply with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act which are Federal laws that prohibit discrimination on the basis of disability. IBS will not discriminate or deny admissions to any person on the basis of race, color, ethnic origin, national origin, marital status, sex, religion, age or disability. The non-discrimination policy covers not only admissions and school access, but it also extends to employment, student financial aid and educational services at the school.

IBS School of Cosmetology and Massage will provide reasonable accommodations to students with disabilities.

#### **Definition of an Individual with a Disability**

An individual with a disability is a person who has a physical or mental impairment which substantially limits one or more major life activities of the individual. These individuals are protected by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA). Individuals with a record of such an impairment and individuals who are regarded as having such an impairment are also protected by these Federal laws. The definition of "disability" in Section 504 and the ADA should be interpreted to allow for broad coverage.

#### ***Physical or mental impairment*** means:

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or
- Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.

**Physical or mental impairment** includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

**Major life activities** include, but are not limited to:

- Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, interacting with others, and working; and
- The operation of a major bodily function, such as the functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems. The operation of a major bodily function includes the operation of an individual organ within a body system.

### **IBS' Responsibilities to Students with Disabilities**

IBS must provide academic adjustments, auxiliary aids and reasonable accommodations to students with disabilities, that are necessary to ensure students are not denied the benefits of, or excluded from participation in the school's program. IBS must make modifications to its academic requirements that are necessary to ensure that the requirements do not discriminate against students with disabilities. The appropriate academic adjustment must be determined based on the disability and individual needs.

In providing an academic adjustment, the school is not required to lower or substantially modify essential requirements. In addition, the school does not have to make adjustments that would fundamentally alter the nature of a service, program, or activity, or that would result in an undue financial or administrative burden. Finally, the school does not have to provide personal attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring and typing.

#### **Section 504 coordinator**

Lauanda Davis – Director  
110 E Kaahumanu Ave, Suite 201  
Kahului, HI 96732  
(808) 214-5293  
[lauanda@ibs-or.com](mailto:lauanda@ibs-or.com)

### **Documentation of disability by students**

Applicants and students who believe they need a reasonable accommodation should contact the School Director as soon as possible, preferably before beginning of the program, so there is enough time for the school to create a plan to accommodate the student. Students who have questions about the type of documentation they need to provide should contact the Section 504 Coordinator to discuss this as soon as possible.

Students must provide documentation of disability from an appropriate professional, such as a medical

doctor, psychologist, or other qualified diagnostician. The required documentation may include one or more of the following: a diagnosis of your current disability, as well as supporting information, such as the date of the diagnosis, how that diagnosis was reached, and the credentials of the diagnosing professional; information on how your disability affects a major life activity; and information on how the disability affects your academic performance. The documentation should provide enough information for the school to decide what is an appropriate academic adjustment.

The documentation submitted must be within the last 12 months. Documentation should be current and relevant, but that does not mean that a recent report or record is needed in all cases. Some disabilities are stable lifelong conditions and historic documentation will be sufficient. Some disabilities are readily apparent and observable and thus little or no documentation will be needed. If the documentation that you have does not meet the postsecondary school's requirements, a school official should tell you in a timely manner what additional documentation you need to provide. You may need a new evaluation in order to provide the required documentation.

The student and the Section 504 coordinator will discuss how the student's impairment impacts the student, how the student expects the impairment to impact the student in the school's program, the types of accommodations the student has previously received (if any), and the accommodations being requested by the student from IBS.

The accommodations requested by the student should be related to his or her limitations. There are no pre-set accommodations for specific disabilities. Instead, the Section 504 coordinator and the student must discuss and determine what the student's limitations are, and how they can be accommodated.

## **Eligibility Determination**

The Section 504 coordinator determines if the student is eligible for services under Section 504. The coordinator must state if the student has a disability that is substantially limiting a major life activity.

The Section 504 coordinator will consider any past accommodations that have been effective for the student. Alternate accommodations may be provided if there is an alternative accommodation that would be equally effective for the student.

The Section 504 coordinator will make a decision no later than 30 days after the student states the request for an accommodation. If the student does not submit documentation of a disability at the time the student requests an accommodation, the Section 504 coordinator will make a decision no later than 30 days after the student provides the documentation.

The Section 504 coordinator will list the approved accommodations in writing and provide this to the student. The Section 504 coordinator will inform the appropriate school staff of the accommodations they are responsible for providing to the student, how to provide the accommodations, and when to provide the accommodations. The Section 504 coordinator will verify that the accommodations are being implemented for the student through direct observation, report by the student, and/or documentation from The School staff. If the student informs the Section 504 coordinator that an accommodation is not being

fully implemented, the Section 504 coordinator will immediately intervene with relevant staff members to ensure the accommodation is provided to the student.

After accommodations have been approved for a student, the Section 504 coordinator will keep evaluating whether the student's accommodations should be changed or not.

### **Additional Information**

The school is not obligated to provide accommodations that would result in a fundamental alteration of the school's program. In this case, the Section 504 coordinator will promptly search for an equally effective alternate accommodation for the student that would not fundamentally alter the program. The Section 504 coordinator will offer the alternate accommodation to the student.

### **Appeals by Students**

A student may appeal any accommodation decision made by the Section 504 coordinator if the student disagrees with the decision. When a student wishes to file an appeal, the student must notify:

#### **Section 504 coordinator**

Lauanda Davis – Director  
110 E Kaahumanu Ave, Suite 201  
Kahului, HI 96732  
(808) 214-5293  
[lauanda@ibs-or.com](mailto:lauanda@ibs-or.com)

The student must explain his/her reasons for disagreeing with the Section 504 coordinator's decision or explain how the student's accommodation is not being implemented and submit any relevant documentation.

Within five business days of receiving a student's appeal the Director will meet with the student and the Section 504 coordinator to discuss the issues presented by the student's appeal. If appropriate, the Director will also discuss the issues with other school staff members.

When a student appeals a decision made by the Section 504 coordinator, the Director will determine whether the Section 504 coordinator's decision should be revised or remain the same. If the decision is revised, the Director will ensure that the revised decision is implemented.

When a student files an appeal on the basis that an approved accommodation is not being implemented, the Director will determine whether the accommodation is being fully implemented, and if it is not, ensure that the accommodation is implemented.

The Director will inform the student of the decision in writing no later than 30 calendar days after receiving the student's appeal.

The Section 504 coordinator will assist students with disabilities who have concerns about implementation of their accommodations or their treatment by the school staff members or other students. At the request of a student, the Section 504 coordinator will informally mediate or attempt to resolve issues related to the student's disability. If this informal process does not resolve the student's concerns, the student may file a grievance as described below.

### **Grievance Policy**

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for IBS to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

The school will make every attempt to resolve any student complaint that is not frivolous or without merit. Complaint procedures will be included in the school catalog thereby assuring that all students know the steps to follow should they desire to register a complaint at any time.

The school has the responsibility to objectively investigate the allegations in the complaint and determine whether the student has been discriminated against. If the school determines that discrimination occurred, the school must take appropriate steps to correct the discrimination and prevent it from reoccurring. Evidence of final resolution of all complaints will be retained in school files in order to determine the frequency, nature, and patterns of complaints for the institution.

### **Grievance complaints**

A student must file a grievance complaint within 60 days of the date the discriminatory act occurred, or within 60 days of the end of an informal attempt to resolve the complaint, whichever is later.

- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought. The student should describe or provide copies of any relevant documents or emails, if available.
- The Section 504 Coordinator (or her/his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of IBS relating to such grievances.

A student may ask the Section 504 Coordinator to try and informally resolve the student's complaint before the student files a written complaint. However, the student is not required to try informal resolution before filing a written complaint.

- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Director within 15 days of receiving the Section 504 Coordinator's decision. The Director shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

IBS will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

Complaints must be sent to the Director, Lauanda Davis; 110 E Kaahumanu Ave Suite 201, Kahului, HI 96732; (808) 214-5293; [lauanda@ibs-or.com](mailto:lauanda@ibs-or.com).

### **U.S. Department of Education**

Students or school staff who have questions or concerns about disability issues may contact the Office for Civil Rights (OCR), U.S. Department of Education. OCR enforces Section 504 of the Rehabilitation Act and the Americans with Disabilities Act as they apply to post-secondary educational institutions.

U.S. Department of Education, Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: (800) 421-3481  
FAX: (202) 453-6012; TDD: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)