

## Disability Accommodation & Grievance Policy

### 1. Statement of Non-Discrimination and Accommodation

- a. Continental School of Beauty Culture (“the School”) does not discriminate on the basis of disability.
- b. Individuals with disabilities are entitled to a reasonable accommodation to ensure that they have full and equal access to the educational resources of the School, consistent with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) (“Section 504”) and the Americans with Disabilities Act (42 U.S.C. § 12182) (“ADA”) and their related statutes and regulations.
- c. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. The ADA prohibits a place of public accommodation from discriminating on the basis of disability. The applicable law and regulations may be examined in the office of the ADA Compliance Coordinator, who has been designated to coordinate the efforts of the school to comply with Section 504 and ADA.

### ADA Compliance Coordinators According to School

Rochester – Cosmetology & Barbering	Jolie Ferrara 633 Jefferson Rd, Rochester, NY 14623 585-697-5611 jferrara@continentalnow.com
Rochester – Esthetics, Esthetics & Nails	Betty Vieira 633 Jefferson Rd, Rochester, NY 14623 585-697-5625 bvieira@continentalnow.com
Syracuse	Tammy Poirier 2803 Brewerton Rd, Mattydale, NY 13211 315-410-0188 tpoirier@continentalnow.com
Buffalo	Dee Edwards 326 Kenmore Ave, Buffalo, NY 14223 716-833-5016 dedwards@continentalnow.com
Batavia	Lynn Strzelecki 215 Main St, Batavia, NY 14020 585-344-0886 lstrzelecki@continentalnow.com

West Seneca	Lisa Wallace 1050 Union St, W Seneca, NY 14224 716-675-8205 lwallace@continentalnow.com
Olean	Natalie Jimerson 517 North Barry St, Olean, NY 14760 716-372-5095 njimerson@continentalnow.com

## 2. Requests for Accommodation

- a. Individuals with disabilities wishing to request a reasonable accommodation must contact the ADA Compliance Coordinator. A disclosure of a disability or a request for accommodation made to a faculty or staff member, other than the ADA Compliance Coordinator, will not be treated as a request for an accommodation. However, if a student discloses a disability to faculty or staff member, he or she is required to direct the student to the ADA Compliance Coordinator.
- b. The ADA Compliance Coordinator will provide a student or applicant with a **Request for Accommodations form**.
- c. Reasonable accommodations are available for students and applicants who provide the appropriate documentation of a disability. Such documentation should specify that a student has a physical or mental impairment and how that impairment substantially limits one or more major life activities. In general, the supporting documentation must be dated less than three years from the date a student requests a reasonable accommodation, and must be completed by a qualified profession in the area of the student’s disability, as enumerated below:

Disability	Qualified Professional
Physical disability	MD, DO
Visual impairment	MD, ophthalmologist, optometrist
Mobility, orthopedic impairment	MD, DO
Hearing impairment	MD, Audiologist (Au.D) *audiology exam should not be more than a year old
Speech and language impairment	Licensed speech professional
Learning disability	PhD Psychologist, college learning disability specialist, other appropriate professional
Acquired brain impairment	MD neurologist, neuropsychologist
Psychological disability	Psychiatrist, PhD Psychologist, LMFT or LCSW
ADD/ADHD	Psychiatrist; PhD Psychologist, LMFT or LCSW
Other disabilities	MD who practices or specializes within the field of the disability.

Documentation used to evaluate the need and reasonableness of potential accommodations may include a licensed professional's current medical diagnosis and date of diagnosis, evaluation of how the student's disability affects one or more of the major life activities and recommendations, psychological and/or emotion diagnostic tests, functional effects or limitations of the disability, and/or medications and recommendations to ameliorate the effects or limitations. The School may request additional documentation as needed. In general, Continental does not consider an Individualized Education Program (IEP) as sufficient medical documentation to evaluate the need and reasonableness of potential accommodations. However, we will consider an IEP as reasonable medical documentation for students who request the following accommodations: 1. A test reader; 2. Additional test taking time (up to time and a half); and/or 3. A quiet place to take a test. Any other requested accommodations will require medical documentation completed by a qualified professional in the area of the student's disability, as specified in the chart above.

- d. After the ADA Compliance Coordinator receives the Request Form and the required documentation, he/she will engage the student or applicant in an interactive process to determine what accommodations may be reasonable.
- e. If the student or applicant is denied the requested accommodation, he/she may file a grievance using the Grievance Process below or he/she may file a complaint with the U.S. Department of Education's Office for Civil Rights or a similar state entity.
- f. The School will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. The ADA Compliance Coordinator will be responsible for such arrangements

### **3. Grievance Process**

- a. The School has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 and/or the ADA.
- b. Any person who believes she/he has been subjected to discrimination on the basis of disability, including disagreements regarding requested accommodations, may file a grievance pursuant to the procedure outlined below. The School will not retaliate against anyone who files a grievance in good faith or cooperates in the investigation of a grievance.
- c. Procedure

- i. Grievances must be submitted to the ADA Compliance Coordinator according to the chart referenced in Section 1(c). Grievances must be submitted to the ADA Compliance Coordinator, within thirty (30) days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- ii. 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.
- iii. The ADA Compliance Coordinator (or her/his trained designee) shall investigate the complaint and afford all interested persons an opportunity to submit relevant evidence. The Complainant may also present witnesses relative to the complaint. The ADA Compliance Coordinator will maintain the files and records relating to such grievances.
- iv. All reasonable efforts will be made to provide a written determination to the student or applicant within 30 days after its filing. If a written determination cannot be made within 30 days of the complaint's filing, the ADA Compliance Coordinator will so advise the student and provide an update as to the status of the investigation. The student may also contact the ADA Compliance Coordinator to inquire as to the status of the investigation at reasonable intervals.
- v. The person filing the grievance may appeal the decision of the ADA Compliance Coordinator by writing to Jennifer Manuse, Controller, 633 Jefferson Rd Rochester, NY 14623, 585-697-5636, [jmanuse@continentalnow.com](mailto:jmanuse@continentalnow.com), within 15 days of receiving the ADA Compliance Coordinator's decision. The controller shall issue a written decision in response to the appeal no later than 30 days after its filing.
- vi. 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 Education's Office for Civil Rights and/or a similar state agency.
- vii. The School will take all steps to prevent recurrence of any harassment or other discrimination and to correct discriminatory effects where appropriate.