

## **ACADEMIC ADJUSTMENTS BASED ON DISABILITY REGENCY BEAUTY INSTITUTE**

As set forth in the Policy against Discrimination, Harassment, Bullying and Offensive Behavior, Regency policy prohibits unlawful discrimination against students based on protected characteristics, including disability. Regency is committed to working with qualified students with disabilities to provide equal access to the education that Regency provides and to create an inclusive environment for all. Regency will provide reasonable academic adjustments (including accommodations, auxiliary aids and services) to an otherwise qualified student with a disability. For purposes of this policy, the term “student” includes an enrolled student as well as any prospective student who requires reasonable academic adjustments in the application process, including in connection with the entrance examination.

The purpose of academic adjustments based on disability is to provide an otherwise qualified student with equal access to Regency’s courses, services and facilities. Accordingly, a *reasonable* academic adjustment is a modification of or exemption from a Regency policy, procedure or practice that enables a student to fully participate in Regency’s educational program and meet program requirements by overcoming barriers posed by the student’s disability. By contrast, a requested academic adjustment will be denied as *unreasonable* if it would (1) excuse a student from essential program requirements or institutional standards for program completion, (2) conflict with licensing or other legal requirements, or (3) otherwise place an undue financial or administrative burden on the institution. Additionally, Regency is not required to provide a student with the academic adjustment(s) he or she most prefers, so long as it provides *reasonable* academic adjustments, where possible.

All students are welcome to talk with Regency’s Academic Adjustments Committee at any time to discuss Regency’s procedures relating to academic adjustments based on disability.

### **Disclosure & Confidentiality**

If a student wishes to submit a request for academic adjustments (“Request for Academic Adjustments”) based on disability, that student will be required to follow and cooperate in Regency’s processes governing the submission and review of such Requests, as detailed in the next section of this policy. The decision to submit such a Request for Academic Adjustments is voluntary on the part of the student. A student who wishes to submit such a Request should understand that, in order for Regency to consider his or her Request, it will be necessary for the student to disclose and identify his or disability, and other related information, to Regency’s Academic Adjustments Committee (“Academic Adjustments Committee”).

Upon receipt of a Request for Academic Adjustments, the Academic Adjustments Committee will maintain the confidentiality of the information relating to a student’s disability and his or her Request. The files maintained by the Committee will not be released except in accordance with applicable law, including without limitation FERPA and Section 504 of the Rehabilitation Act of 1973. Accordingly,

- Generally, no one other than the Academic Adjustments Committee will have immediate access to the documentation submitted by a student to the Academic Adjustments Committee or other Information relating to a student’s disability and Request for Academic Adjustments.
- However, information relating to a student’s disability and Request for Academic Adjustments may be shared with others (*i.e.*, outside of the Academic Adjustments Committee) on a need-to-know basis as determined at the discretion of the Committee to facilitate a well-informed determination on his or her Request and/or the administration of any academic adjustments that may ultimately be granted.
- Additionally, release of information relating to a student’s disability and Request for Academic Adjustments may be required or permitted in certain circumstances, including without limitation (1) when Regency receives a court order or subpoena for the information, or (2) when a student reports or describes intent to harm him/herself or another person.

Regency's Academic Adjustments Committee will not discuss a student's Request for Academic Adjustments with that student's parent or guardian or any other third party, except where the student has signed a FERPA Release form expressly authorizing Regency to do so, or when another legal exception applies. Additionally, when a student has in fact signed a FERPA Release allowing Regency to discuss the student's Request for Academic Adjustments with a parent, guardian or other third party, that third party may be present during the Academic Adjustments Committee's interactions with the student, but the student will nonetheless be expected to actively participate in the process and speak on his or her own behalf.

### **The Process to Request Academic Adjustments**

Regency has developed procedures for the submission, review, and resolution of student Requests for Academic Adjustments. As noted above, any student who wishes to submit a Request for Academic Adjustments is responsible for knowing and following these procedures and otherwise complying with the requests of the Academic Adjustments Committee.

The process is summarized below.

#### **Step 1: Fill Out the "Request for Academic Adjustments" form**

Every student who wishes to request academic adjustments from Regency must fill out and submit the "Request for Academic Adjustments" form, following the instructions set forth on the form. A blank form, along with additional information, may be found in the prospect kiosk area in each campus and is also provided to every new student upon enrollment. Additional copies, if needed, may be requested by emailing [AcademicAdjustments@RegencyBeauty.com](mailto:AcademicAdjustments@RegencyBeauty.com).

As noted, a student may choose to submit a Request for Academic Adjustments at any time, and each Request will be reviewed on its individual merits.

On the Request for Academic Adjustments form, a student will be given an option of (1) postponing his or her program start date until such time as Regency makes a determination upon his or her Request for Academic Adjustments, or (2) proceeding with the program irrespective of whether a notice of determination has issued. Any student who elects a postponement for this reason will not be subject to any additional tuition, fees, or costs (a) but cannot be guaranteed the program start date of his or her choice, and (b) may be required to execute a new or modified enrollment agreement. In the event that a student chooses not to postpone his or her program start date, the student should be on notice that (1) the submission of a Request for Academic Adjustments in no way guarantees that an academic adjustment will in fact be provided, and (2) any academic adjustments granted apply on a going-forward basis only. Regency will not apply academic adjustments retroactively to the period before it reaches a final determination on the Student's Request for Academic Adjustments.

#### **Step 2: Secure your Supporting Documentation**

In accordance with the law, each Request for Request for Academic Adjustments submitted by a student must be supported with documentation ("Supporting Documentation") from an appropriate, U.S.-licensed professional that (1) certifies that the student has been diagnosed with a disability and identifies the disability, (2) describes the functional limitations experienced by the student which are due to the disability and relevant to the Request for Academic Adjustments; and (3) describes with specificity any academic adjustment(s) that are advised in order to enable the student to fully participate in Regency's cosmetology program and meet the requirements for graduation from the program.

The specific requirements for the required Supporting Documentation will vary based on the category of disability that underlies the Request for Academic Adjustments – Medical, Psychiatric, or Cognitive – as detailed below.

Any costs associated with securing and/or providing the required Supporting Documentation are the responsibility of the student. Following review of the Supporting Documentation submitted by the student, Regency reserves the right to secure an independent evaluation of the student's disability

and other standard information (as set forth on Regency's Licensed Professional Verification form, discussed below), at Regency's expense.

The time restrictions stated below for each category of Supporting Documentation will apply in most cases. However, Regency reserves the right in its discretion to accept older documentation in the case of permanent or non-varying conditions, based on the facts and circumstances of an individual case.

A student's Request for Academic Adjustments will be denied if the student fails to provide appropriate Supporting Documentation or if the Supporting Documentation submitted by the student demonstrates that the Request is not warranted.

- **Medical Disability**

A student's Request for Academic Adjustments is based on a "Medical Disability" when the impairment at issue relates to the condition or state of the body or bodily functions, but not including psychiatric conditions. In such cases, the student will be required to submit to the Academic Adjustments Committee the Licensed Professional Verification ("LP Verification"<sup>1</sup>) or its equivalent filled out by an appropriate, U.S.-licensed professional (typically, but not necessarily, a medical doctor).

Additionally, to be accepted by the Academic Adjustments Committee in connection with a student's Request for Academic Adjustments, the diagnosis of medical disability disclosed on the LP Verification must have been made or reconfirmed within **twelve (12) months** prior to date on which the LP Verification is first received by the Academic Adjustments Committee.

- **Psychiatric Disability**

A student's Request for Academic Adjustments is based on a "Psychiatric Disability" when the impairment at issue relates to mental illness recognized in the Diagnosis and Statistical Manual of Mental Disorders, Edition V ("DSM-V"). In such cases, the student will also be required to submit to the Academic Adjustments Committee the LP Verification\* or its equivalent filled out by an appropriate, U.S.-licensed professional (typically, but not necessarily, a psychiatrist or psychologist).

Additionally, to be accepted by the Academic Adjustments Committee in connection with a student's Request for Academic Adjustments, the diagnosis of psychiatric disability disclosed on the LP Verification must have been made or reconfirmed within **six (6) months** prior to date on which the LP Verification (discussed below) is first received by the Academic Adjustments Committee.

- **Learning or Cognitive Disability**

A student's Request for Academic Adjustments is based on a "Learning or Cognitive Disability" when the impairment at issue is a specifically diagnosed learning disability or other impairment affecting the ability to think, concentrate, formulate ideas, reason and remember. In such cases, a student may submit as his or her Supporting Documentation:

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<sup>1</sup> **LP Verification.** In any case in which a Student take steps to secure an LP Verification as the required Supporting Documentation, it is important that the student understand that – in the event that the LP Verification received by the Academic Adjustments Committee is incomplete, illegible, or unclear – the document will be returned to the student for correction. Specifically, the student will be directed to return the document to the verifying professional for completion and/or clarification. To avoid such delays, students are encouraged to review the completed LP Verification with the professional to ensure – prior to its submission to the Academic Adjustments Committee – that it is complete, clear, and legible.

Additionally, Regency reserves the right to contact the professional who completed and signed the LP Verification form in order to confirm the authenticity of the LP Certification.

A blank LP Verification form, along with additional information, is provided to every student upon enrollment, together with the blank Request for Academic Adjustments form. Additional copies, if needed, may be requested by emailing [academicadjustment@regencybeauty.com](mailto:academicadjustment@regencybeauty.com).

1. An LP Verification, on the condition that the diagnosis of learning or cognitive disability disclosed on the LP Verification must have been made or reconfirmed within **three (3) years** prior to date on which the LP Verification is first received by the Academic Adjustments Committee.

or

2. An Individualized Educational Program (“IEP”) or 504 Plan issued by the student’s secondary school, on the conditions that (a) the diagnosis of learning or cognitive disability disclosed on the IEP or 504 Plan was likewise made or reconfirmed within **three (3) years** prior to date on which the LP Verification is first received by the Academic Adjustments Committee, and (b) the IEP or 504 Plan (i) describes the functional limitations experienced by the student which are due to the disability; and (ii) provides recommendations for academic adjustments to enable the student to participate in an academic program.

It is important to note that any IEP or 504 Plan submitted by a student will be reviewed as Supporting Documentation only, and the existence of such IEP or 504 Plan from a prior school in no way guarantees that Regency will take the same actions taken by the student’s prior school. Accordingly, the student is required to identify on the Request for Academic Adjustments form the specific academic adjustments that he or she is requesting from Regency, irrespective of whether the IEP or 504 Plan may list multiple accommodations provided by the student’s prior school.

**Step 3: Submit your Request & Supporting Documentation to Regency’s Academic Adjustments Committee**

Except in those cases in which a prospective student wishes to submit a Request for Academic Adjustments in connection with the application process (including without limitation the entrance examination), the Request for Academic Adjustments form should be completed and submitted after the student has signed a Regency enrollment agreement. As noted on the Request for Academic Adjustments form, the completed Request for Academic Adjustments form and Supporting Documentation must be submitted directly by the student to the Academic Adjustments Committee by mail or facsimile; the form should not be submitted to the Campus Manager or other campus employee.

Any student who wishes to request academic adjustments is strongly encouraged to submit the completed form at his or her earliest opportunity. Any academic adjustments granted by the Committee will apply in the future only and will not be applied retroactively. While submission immediately after enrollment is generally advisable, students may submit a Request for Academic Adjustments at any point during their enrollment with Regency.

**Step 4: Engage in the Interactive Process with the Committee**

Upon receipt of a student’s Request for Academic Adjustments and Supporting Documentation, these documents will be reviewed by the Academic Adjustments Committee.

In many cases, the Academic Adjustments Committee will have a discussion or correspondence with the student concerning his or her Request. The Committee may, for example, seek to clarify the information provided, request additional information, or discuss alternative proposals to the requests made by the student. The student will be expected to fully cooperate with the Committee in this interactive process.

**Determination by the Academic Adjustments Committee**

Any Request for Academic Adjustments submitted by a student will be determined by the Committee based on an individualized assessment of the student’s disability-based limitations in light of the essential requirements of the cosmetology program, licensing or other legal requirements, and the administrative and/or financial burden posed by the requested adjustment(s). In each case, the

core question before the Committee is whether the Request for Academic Adjustments will remove barriers to the student's full access to the education, service and facilities offered in Regency's cosmetology program or – alternatively – whether it seeks to excuse the student from meeting the fundamental requirements of the program.

Specifically, the Academic Adjustments Committee will address the following issues in reaching a determination on each Request:

- The Committee will first determine whether the Request under review in fact requires any adjustment of or exemption from a policy, process, or practice mandatory for all students of the cosmetology program.
  - If no, the matter may be referred to Campus Operations for review without action by the Committee.
  - If yes, the Committee will address the issues below, as relevant.
- The Committee will identify whether the policy, process, or practice as to which the student seeks an adjustment or exemption is required in order for the student to meet minimum requirements for eligibility to take the state cosmetology licensing examination and/or obtain a cosmetology license within that state.
- The Committee will identify whether the policy, process, or practice as to which the student seeks an adjustment or exemption is otherwise mandatory by law, regulation, or directive of NACCAS, Regency's accreditation authority.
  - If no, this issue does not present a barrier to the requested academic adjustment.
  - If yes, the Committee will consider whether there may exist an alternative means to accommodate the particular disability without violating the applicable law, regulation, or directive.
- The Committee will determine whether the policy, process, or practice as to which the student seeks an adjustment or exemption is a fundamental element of Regency's cosmetology program. In answering this question, the primary (but not necessarily exclusive) question to be determined is whether the policy, process or practice is considered essential to Regency's ability to deliver an education that will reasonably prepare the student, upon graduation, to pass the cosmetology licensing examination in the relevant state and acquire the minimum skills necessary for entry-level employment in the field of cosmetology. In this analysis, the Committee will deny as unreasonable any Request that would require Regency to lower or substantially modify essential program requirements or otherwise fundamentally alter the nature of the program.
- The Committee will determine whether, as a matter of law, the request made by the student otherwise lies outside of the legal obligations applicable to a post-secondary school in providing academic adjustments based on disability. For example, the Committee will deny as unreasonable (without limitation) any requested academic adjustments that would require Regency to provide a student with (a) a personal attendant, (b) an individually-prescribed device, (c) a reader for personal use or study, or (d) any other device or service of a personal nature, such as tutoring, or that would otherwise result in an undue financial or administrative burden to Regency.

In reaching its determination, the Committee may also consult with staff and third-party experts and consultants as it deems necessary, on a need-to-know basis.

### **Notice of Determination**

Following its review and determination upon a Request for Academic Adjustments, including any interactive process, the Academic Adjustments Committee will issue the student a **Notice of Determination**.

### **Administration of Academic Adjustments**

In the event that the Academic Adjustments Committee approves academic adjustments for a student, the staff at the Regency campus where the student will be enrolled will be informed, on a confidential and need-to-know basis, of the adjustments and/or exemptions approved for the student. In certain cases, the full staff will have a legitimate need to know of the adjustments or exemptions

that have been approved for a student. This would include those cases in which an exemption is visible (for example, a student is wearing a head covering, in violation of the student dress code) or when the staff will be involved in the administration of the adjustment or exemption (for example, by reading test questions out loud to a student). By communicating the academic adjustment(s) to the staff on a need-to-know basis, Regency seeks to ensure that Regency effectively provides the academic adjustments granted to the student and/or that staff members do not erroneously issue discipline to a student for conduct that would constitute a policy violation but for the approved academic adjustments.

The student granted academic adjustments is expected to notify the Academic Adjustments Committee promptly of any questions, concerns or problems in that may occur in the provision or administration of the academic adjustments in his or her campus.

Additionally, the student receiving academic adjustments is responsible to notify the Academic Adjustments Committee in the event that his or her disability and/or the limitations associated with the disability change in a manner that require the Committee to conduct a new review of the academic adjustments provided to the student.

### **Grievance Procedures**

A student who disagrees with the Notice of Determination issued by the Academic Adjustments Committee is encouraged to contact the Academic Adjustments Committee directly to discuss the matter. If such discussions do not lead to a resolution acceptable to the student, the student may seek a review of the outcome by submitting a written appeal statement to:

Student Appeals Committee  
c/o Regency Beauty Institute  
1600 Utica Avenue South, 9<sup>th</sup> Floor  
St. Louis Park, MN 55416  
Fax: 866-553-4166  
Email: [StudentAppeals@RegencyBeauty.com](mailto:StudentAppeals@RegencyBeauty.com)

An appeal under this policy must be made within 14 calendar days of receipt of the written notice of determination. The Committee will conduct an impartial review of the appeal and will provide the appealing student with a written determination. The Committee seeks to issue its determination on each appeal within 30 calendar days of its receipt of the appeal; however, this timeframe may be longer in certain cases.