



## RESOLUTION AGREEMENT

University of Houston-Clear Lake

OCR Case Number: 06202066

The University of Houston-Clear Lake (“UHCL” or “Recipient”) voluntarily enters this Resolution Agreement (Agreement) with the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office. The Recipient voluntarily agrees it will take the following actions to comply with Section 504 of the Rehabilitation Act of 1973 (“Section 504”), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (“Title II”), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, and to resolve the Complainant’s allegations. This Agreement does not constitute an admission by UHCL that it violated any law, that it discriminated against Complainant, or that UHCL engaged in any wrongdoing. Prior to the completion of OCR’s investigation, UHCL agreed to resolve the complaint. Accordingly, UHCL voluntarily agrees to take the following actions:

### **Action Item 1**

Within **ten (10) calendar days of the date of this Agreement**, UHCL will notify the Complainant in writing, via Certified Mail Return Receipt Requested (CMRRR) and email, of the following:

- A. The Complainant may retake Global Environment 5131 and Human Behaviors in Organization MGMT 5032, with tuition and fees associated with the classes waived, as long as the Complainant completes these classes by **December 31, 2020**.
- B. If the Complainant completes either or both of these classes by **December 31, 2020**, the grade that the Complainant received for these classes during the Fall 2019 semester will be added to the transcript after retaking the class(es). Only the hours and grade points earned on the last attempt will be counted in the Grade Point Average (GPA) calculation and in determining academic standing.

### **Reporting Requirements**

- A. Within **30 calendar days** of the execution of this agreement, UHCL will submit to OCR a copy of the notification letter and email sent to the Complainant, and a copy of the receipt of the CMRRR, referenced in Action Item 1 above.
- B. If the Complainant enrolls in Global Environment 5131 and Human Behaviors in Organization MGMT 5032, within **30 calendar days** of the date the Student enrolls, UHCL will provide OCR with documentation showing that UHCL allowed the Complainant to take the relevant class(es) at no additional cost to the Complainant. If the Complainant does not enroll in the courses referenced above, UHCL will notify OCR.
- C. If the Complainant completes Global Environment 5131 and Human Behaviors in Organization MGMT 5032, within **30 calendar days** of the date the Complainant completes the course(s), UHCL will provide OCR with documentation indicating the following:

- i. The grade(s) the Complainant earned in Global Environment 5131 and Human Behaviors in Organization MGMT 5032 was added to the transcript after retaking the class(es)
- ii. The Student's GPA has been recalculated according to the grade she received in retaking Global Environment 5131 and Human Behaviors in Organization MGMT 5032.

## **Action Item 2**

UHCL will conduct training session(s) regarding its obligation to provide academic adjustments and auxiliary aids and services, as well as the prohibition of disability discrimination, under Section 504 and Title II. The training will include UHCL's obligations under Section 504 and Title II to ensure faculty and staff members fully implement any necessary academic adjustments and provide necessary auxiliary aids and services that have been approved by the Disability Services Office staff for a qualified student with a disability. The training will be conducted by an individual knowledgeable about the requirements of Section 504 and Title II.

The training will be mandatory for test administrators, and all full-time, associate, and adjunct faculty members at UHCL.

## **Reporting Requirements**

- A. Within **forty (45) calendar days of the date of this Agreement**, UHCL will provide OCR, for review and approval, the following:
  - i. A copy of the proposed training materials that UHCL will use;
  - ii. The name, title, credentials, and contact information for the individual(s) who will conduct or provide the training; and
  - iii. The name, title, and e-mail address for each person as described in Action Item 3, who will complete the mandatory training.
- B. Within **forty-five (45) calendar days of receiving OCR's approval** of the training materials referenced above, UHCL will provide OCR with detailed information regarding the training conducted pursuant to Action Item 3, including the following:
  - i. A list of personnel who completed the mandatory training, including the dates of completion by each;
  - ii. Assurance that the listed attendees referenced above constitute the entirety of the personnel required to attend the training;
  - iii. A copy of the training materials used; and

- iv. The name, title, credentials, and contact information of the professional(s) who provided the training.

The Recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Recipient understands that during the monitoring of the Agreement, if necessary, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement.

Upon the Recipient's satisfaction of the commitments made under the Agreement, OCR will close the case.

The Recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

**EXECUTION:**

This Agreement will become effective immediately upon the signature of UHCL's authorized representative below.

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Dr. Ira K. Blake, President  
University of Houston-Clear Lake

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Date