ACCESSIBLE TECHNOLOGY
SAN FRANCISCO STATE UNIVERSITY

Audit Report 14-32
July 22, 2014

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ABBREVIATIONS

ADA          Americans with Disabilities Act
AT           Accessible Technology
ATI          Accessible Technology Initiative
CSU          California State University
DPRC         Disability Programs and Resource Center
E&IT         Electronic and Information Technology
OAAS         Office of Audit and Advisory Services
VPAT         Voluntary Product Accessibility Template
EXECUTIVE SUMMARY

As a result of a systemwide risk assessment conducted by the Office of Audit and Advisory Services (OAAS) during the last quarter of 2013, the Board of Trustees, at its January 2014 meeting, directed that Accessible Technology (AT) be reviewed. The OAAS has never reviewed AT as a stand-alone audit, but some aspects of AT were examined during the Americans with Disabilities Act compliance audit in 2011.

We visited the San Francisco State University campus from May 12, 2014, through June 6, 2014, and audited the procedures in effect at that time.

In our opinion, except for the effect of the weaknesses described below, the fiscal, operational, and administrative controls for AT activities as of June 6, 2014, taken as a whole, were sufficient to meet the objectives stated in the “Purpose” section of this report. An area of concern is procurement.

As a result of changing conditions and the degree of compliance with procedures, the effectiveness of controls changes over time. Specific limitations that may hinder the effectiveness of an otherwise adequate system of controls include, but are not limited to, resource constraints, faulty judgments, unintentional errors, circumvention by collusion, and management overrides. Establishing controls that would prevent all these limitations would not be cost-effective; moreover, an audit may not always detect these limitations.

The following summary provides management with an overview of conditions requiring attention. Areas of review not mentioned in this section were found to be satisfactory. Numbers in brackets [ ] refer to page numbers in the report.

PROCUREMENT [6]

Accessibility documentation was not always included in the requisition process.
INTRODUCTION

BACKGROUND

In 1973, Congress adopted the Rehabilitation Act, prohibiting discrimination on the basis of disability and ensuring equal opportunity for people with disabilities at any federal agency, including any program or institution that receives federal funds. Section 504 of the Rehabilitation Act ensures certain civil rights for people with disabilities, including access to federally funded programs or activities. In June 1977, the federal government issued regulations implementing Section 504, and in response, California State University (CSU) campuses prepared self-evaluations identifying the steps that would ensure that students with disabilities had equal access to educational opportunities.

In 1990, the federal government enacted the Americans with Disabilities Act (ADA), which reaffirmed Section 504 of the Rehabilitation Act of 1973 and extended the discrimination prohibition to businesses and organizations that do not receive federal funds. The ADA also detailed additional criteria in the areas of employment, new construction or renovation, transportation, and telecommunications; and for public entities that employ 50 or more people; it required the appointment of an ADA coordinator, a self-evaluation, and a transition plan to itemize compliance steps.

In August 1998, President Bill Clinton signed into law the Rehabilitation Act Amendments of 1998. Among other things, the law requires federally funded programs and services to provide people with disabilities access to electronic and information technology. It also strengthened Section 508 of the Rehabilitation Act, which was enacted to eliminate barriers in information technology, make new opportunities available for people with disabilities, and encourage development of technologies that will help achieve these goals. The law applies to all federal agencies, which must ensure that any electronic and information technology that is developed, procured, maintained, or used is accessible to employees and members of the public with disabilities. Section 508 also describes various means for disseminating information, including computers, software, and electronic office equipment. It applies to, but is not solely focused on, federal web pages on the Internet. The law does not apply to private industry or state and local government, but those entities must comply with the law if they are receiving federal funds or under contract with a federal agency. Government Code §11135 requires the CSU and other state governmental entities to comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended.

In 2004, the CSU implemented Executive Order 926, Policy on Disability Support and Accommodations, to make information technology resources and services accessible to all CSU students, faculty, and staff, as well as the general public. Concurrently, the CSU developed the Center for Accessible Media to help expedite the delivery of electronic instructional texts to eligible CSU students with disabilities. In January 2006, the CSU launched its Accessible Technology Initiative (ATI) in order to develop the work plan, guidance, and resources to assist campuses in carrying out the accessible technology (AT) provisions of its revised Policy on Disability Support and Accommodations. CSU ATI plans are continuously developing and were revised and extended through policy every year from 2007 to 2014 based on experiences reported by the campuses and the understanding that ATI requirements and milestones should be flexible, allowing campuses to follow different plans for accomplishing them. It is anticipated that the ATI will continue to evolve as new needs are identified.
INTRODUCTION

In January 2013, the CSU issued coded memorandum Academic Affairs 2013-3, *Accessible Technology Initiative*, to provide campuses with guidance for implementing AT. The memorandum establishes responsibilities and outlines overall governance, specified project planning, and established implementation timelines.
PURPOSE

Our overall audit objective was to ascertain the effectiveness of existing policies and procedures related to compliance with the CSU ATI and to determine the adequacy of controls over related processes to ensure compliance with relevant governmental regulations, Trustee policy, Office of the Chancellor directives, and campus procedures.

Within the audit objective, specific goals included determining whether:

- Administration of AT compliance incorporates a defined mission, stated goals and objectives, and clear lines of organizational authority and responsibility, as well as formation of an ATI Steering Committee.
- Policies and procedures are current and comprehensive, and distribution procedures are effective.
- The adequacy of and satisfaction with the ATI program are consistently monitored and assessed.
- Campus notification and complaints processes ensure appropriate compliance with regulatory requirements, as well as timely and adequate resolution of noted disability-related issues.
- Reasonable access and accommodations are provided to applicants and employees in compliance with Title I of the ADA, and student disability services comply with state law, as well as CSU and campus policies.
- Campus technology programs, services, and activities are readily accessible to all people, and auxiliary aids and other equipment for people with disabilities are properly maintained and safeguarded.
- The campus has developed and documented an ATI implementation plan, including ongoing updates and monitoring through self-assessments.
- Equally effective alternative access to programs and facilities is developed, documented, and communicated.
- Procedures to ensure compliance with the accessible electronic and information technology procurement program are adequate.
- Campus training for AT is adequate.
SCOPE AND METHODOLOGY

The proposed scope of the audit as presented in Audit Agenda Item 4 of the January 28 and 29, 2014, meeting of the Committee on Audit stated that AT compliance includes compliance with federal, state, and local rules and regulations that relate to the ADA of 1990, Title 42, Section 504 as it applies to accessible technology requirements and program access. Of primary concern is appropriateness of systemwide guidance, management culture, program access considerations, and compliance with reporting standards and requirements. Proposed audit scope would include review of Trustee policy, systemwide directives, and campus policies and procedures; examination of management compliance efforts; analysis of reported campus and systemwide statistics; and testing of reasonable accommodation efforts.

Our study and evaluation were conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* issued by the Institute of Internal Auditors and included the audit tests we considered necessary in determining whether fiscal, operational, and administrative controls are in place and operative. This review emphasized, but was not limited to, compliance with federal and state regulations and guidance, Board of Trustee policies, and Office of the Chancellor and campus policies, letters, and directives. The audit focused on procedures in effect from January 1, 2012, through June 6, 2014.

We focused primarily on the internal administrative, compliance, and operational controls over AT activities. Specifically, we reviewed and tested:

- Monitoring of the quality and effectiveness of campus ATI program services.
- Resolution of complaints and grievances relating to program accessibility.
- Qualifications of services to students with disabilities staff and campuswide training practices.
- Provision of reasonable technology access and accommodations to applicants and employees.
- Provision of programs, services, and activities that are readily accessible to disabled individuals.
- Ongoing updates and monitoring of the ATI implementation plan.
- Prioritization of ATI implementation tasks and plans.
- Development, documentation, and communication of equally effective alternative access.
- Adequacy of ATI training.
- Compliance with the accessible electronic and information technology procurement program.
OBSERVATIONS, RECOMMENDATIONS, AND CAMPUS RESPONSES

PROCUREMENT

Accessibility reviews of electronic and information technology (E&IT) purchases needed improvement.

We reviewed ten E&IT purchases, and we found that:

- In nine instances, the required Section 508 E&IT Product Requisition Support Form was not on file, and there was no documentation showing that a Voluntary Product Accessibility Template (VPAT) or vendor checklist had been reviewed.

- There was no clear process for maintaining Section 508 E&IT Product Requisition Support Forms and VPATs on file.

Executive Order 926, *The California State University Board of Trustees Policy on Disability Support and Accommodations*, dated December 20, 2004, states that when acquiring information technology, each campus shall acquire products that comply with applicable Section 508 provisions when such products are available in the commercial marketplace.

San Francisco State University *Accessible Technology Imitative Procurement Procedures* state that the campus requestor is responsible for processing compliant and noncompliant 508 E&IT products by completing the campus’ Section 508 E&IT Product Requisition Support Form.

San Francisco State University *Procurement Process Guide* states that the campus requires all vendors to submit Section 508 compliance documentation (e.g., a completed VPAT or vendor checklist.)

The Disability Programs and Resource Center (DPRC) director and procurement director stated that the lack of documentation was due to significant staffing changes related to accessible technology procurement responsibilities in both DPRC and procurement.

Inadequate documentation of accessibility assessments for all E&IT purchases increases the risk that the campus ATI implementation plan will not be followed and campus goals and objectives will not be reached.

**Recommendation 1**

We recommend that the campus:

a. Maintain all completed Section 508 E&IT Product Requisition Support Forms and documentation showing that a VPAT or vendor checklist has been reviewed for E&IT purchases.

b. Develop and implement a clear process for maintaining Section 508 E&IT Product Requisition Support Forms and VPATs on file.
Campus Response

We concur. In response, DPRC and procurement analyzed internal processes and defined responsibility related to documenting E&IT procurement.

a. Effective April 1, 2014, DPRC and procurement agree that all documentation of ATI compliance for the procurement of E&IT (e.g., VPATs, 508 requisition forms, Equally Effective Alternative Access Plans, etc.) is tracked and stored centrally in an electronic database maintained by DPRC’s program manager for the ATI. Procurement also has access to this database.

Completion date: April 1, 2014

b. DPRC and procurement commit to quarterly meetings to ensure that applicable product acquisitions are being identified, reviewed, and documented. These entities also commit to providing ongoing outreach and training to campus requesters regarding procedures for vetting accessible E&IT (e.g., determining high impact, requesting VPATs from vendors, and completing and submitting the appropriate documentation to DPRC and procurement). The first quarterly meeting was held on July 28, 2014.

Completion date: July 28, 2014
## APPENDIX A: PERSONNEL CONTACTED

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Leslie E. Wong</td>
<td>President</td>
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<tr>
<td>Brian Beatty</td>
<td>Associate Vice President for Academic Affairs Operations</td>
</tr>
<tr>
<td>Maggie Beers</td>
<td>Director, Academic Technology</td>
</tr>
<tr>
<td>Nicole Bohn</td>
<td>Director Disability Programs and Resource Center</td>
</tr>
<tr>
<td>Avi Chandiramani</td>
<td>Access Project Coordinator, Disability Programs and Resource Center</td>
</tr>
<tr>
<td>Eugene Chelberg</td>
<td>Associate Vice President for Student Affairs</td>
</tr>
<tr>
<td>Ronald Cortez</td>
<td>Vice President, Administration and Finance/Chief Financial Officer</td>
</tr>
<tr>
<td>Brian Kauffman</td>
<td>Director, Faculty and Staff Labor Relations</td>
</tr>
<tr>
<td>Phoebe Kwan</td>
<td>Chief Technology Officer</td>
</tr>
<tr>
<td>Nish Malik</td>
<td>Associate, Academic and Institutional Studies</td>
</tr>
<tr>
<td>Henry McCoy</td>
<td>Director, Faculty and Staff Employment Services</td>
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<tr>
<td>Ryan Mendoza</td>
<td>Internal Auditor</td>
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<tr>
<td>Jay Orendorff</td>
<td>Director, Administration and Finance</td>
</tr>
<tr>
<td>Maureen Pasag</td>
<td>Director of Audit and Advisory Services</td>
</tr>
<tr>
<td>Stephen Smith</td>
<td>Director of Procurement</td>
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</tbody>
</table>
August 11, 2014

Larry Mandel
University Auditor
The California State University
401 Golden Shore
Long Beach, California 90802-4275

Dear Larry:

We have reviewed the Audit Report #14-32, Accessible Technology, from your office and are providing campus responses to the recommendations electronically as requested.

Questions regarding the responses should be directed to Ron S. Cortez, Vice President and CFO, Administration and Finance at (415) 338-2521 or to Maureen Pasag, Director of Audit and Advisory Services at (415) 405-4343.

Sincerely,

Les Wong
Dr. Les Wong
President

RC/MP/id

Attachment

cc: Ron S. Cortez, Vice President and CFO, Administration and Finance
    Luofuo Hong, Vice President of Student Affairs
    Eugene Chelberg, Associate Vice President for Student Affairs
    Brian Beatty, Associate Vice President for Academic Affairs Operations
    Franz Lozano, Interim Associate Vice President, Fiscal Affairs
    Maureen Pasag, Director, Audit and Advisory Services
    Phoebe Kwan, Associate Vice President and Chief Technology Officer, DoIT
    Nicole Bohn, Director, Disability Programs and Resource Center
    Stephen Smith, Director, Procurement
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PROCUREMENT

Recommendation 1

We recommend that the campus:

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b. Develop and implement a clear process for maintaining Section 508 E&IT Product Requisition Support Forms and VPATs on file.

Campus Response

SF State concurs with the auditor. In response, DPRC and Procurement analyzed internal processes and defined responsibility related to documenting E&IT procurement.

a. Effective April 1, 2014, DPRC and Procurement agree that all documentation of ATI compliance for the procurement of E&IT (e.g., VPAT's, 508 requisition forms, Equally Effective Alternative Access Plans, etc.) is tracked and stored centrally in an electronic database maintained by DPRC's Program Manager for the ATI. SF State Procurement also has access to this database.

   Completion Date: April 1, 2014

b. DPRC and Procurement commit to quarterly meetings to ensure that applicable product acquisitions are being identified, reviewed and documented. These entities also commit to providing ongoing outreach and training to campus requesters regarding procedures for vetting accessible E&IT (e.g., determining high impact, requesting VPATs from vendors and completing and submitting the appropriate documentation to DPRC and Procurement). The first quarterly meeting was held on July 28, 2014.

   Completion Date: July 28, 2014
October 6, 2014

MEMORANDUM

TO: Mr. Larry Mandel  
    Vice Chancellor and Chief Audit Officer

FROM: Timothy P. White  
      Chancellor

SUBJECT: Draft Final Report 14-32 on Accessible Technology,  
         San Francisco State University

In response to your memorandum of October 6, 2014, I accept the response  
as submitted with the draft final report on Accessible Technology, San Francisco  
State University.

TPW/amd