

**DISABILITY SUPPORT AND ACCOMMODATIONS**

**SYSTEMWIDE**

**Report Number 02-33**

**July 8, 2003**

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## **ABBREVIATIONS**

AA	Academic Affairs
AB	Assembly Bill
ADA	Americans with Disabilities Act
CFR	Code of Federal Regulations
CO	Chancellor's Office
CPEC	California Postsecondary Education Commission
CSU	California State University
DOR	Department of Rehabilitation
DSA	Disability Support and Accommodations
SAM	State Administrative Manual
UC	University of California

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## INTRODUCTION

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### PURPOSE

Our overall audit objective was to ascertain the effectiveness of existing policies and procedures related to the administration of the disability support and accommodations (DSA) program and to determine the adequacy of controls over the related processes to ensure compliance with relevant governmental regulations, Trustee policy, Office of the Chancellor directives, and campus procedures.

Within the overall audit, specific goals included making a determination as to whether:

- ▶ Administration and management of the DSA program provide effective internal control; clear lines of organizational authority; delegations of authority; formation of an Advisory Committee on Services to Students with Disabilities; and documented policies and procedures.
- ▶ The adequacy of and satisfaction with the DSA program are consistently monitored and assessed.
- ▶ Campus notification and grievance processes ensure appropriate compliance with regulatory requirements and timely and adequate resolution of noted disability-related issues.
- ▶ Persons and campus areas providing disabled student services possess the necessary qualifications and are appropriately trained and aware of their roles and responsibilities.
- ▶ Reasonable access and accommodations are provided to applicants and employees in compliance with Title I of the Americans with Disabilities Act (ADA), and student disability services comply with state law and California State University (CSU) and campus policies.
- ▶ Verification of disability is timely and adequately performed, and appropriate documentation is provided in compliance with CSU and campus policies.
- ▶ Disability records and information are properly maintained, safeguarded, and retained in accordance with state and federal regulations and CSU policy.
- ▶ Campus programs, services, and activities are readily accessible to all persons, and adaptive aids and other equipment are properly maintained and safeguarded.
- ▶ Campus disaster plans include evacuation procedures for disabled persons.
- ▶ Budgeting procedures adequately address program funding and ensure effective accounting and management control, and grant funds are administered in compliance with sponsor agreements.
- ▶ Chargebacks for disability support services are complete, accurate, valued properly, and processed timely, and credit is received.

## **SCOPE AND METHODOLOGY**

This review emphasized, but was not limited to, compliance with state and federal laws, Board of Trustee policies, and Office of the Chancellor and campus policies, letters, and directives. July 2000 to November 2002 was the primary period of review.

We focused primarily upon internal, administrative, compliance, and operational controls over the management of the DSA program. Specifically, we reviewed and tested policies, procedures, and processes for:

- ▶ Monitoring the quality and effectiveness of campus DSA services.
- ▶ Soliciting and resolving student complaints and grievances relating to programmatic, physical, and other accessibility issues.
- ▶ Hiring DSA program staff and campus-wide training practices.
- ▶ Providing reasonable access and accommodations to applicants and employees.
- ▶ Verifying disabilities and providing (or declining) student disability support services.
- ▶ Maintaining and protecting disability information, including data in automated systems.
- ▶ Providing programs, services, and activities that are readily accessible to disabled individuals.
- ▶ Administering program and grant funds for disability support and other related services.
- ▶ Authorizing and processing expenditures of program funds that include, but are not limited to, grant awards, miscellaneous revenues, and petty cash.
- ▶ Valuing, processing, and collecting chargebacks for DSA services provided to self-supporting operations.
- ▶ Recording, safeguarding, and maintaining inventory for adaptive aids and equipment.

During the course of the audit, we visited ten campuses: Bakersfield, Fresno, Fullerton, Humboldt, Long Beach, Northridge, San Bernardino, San Diego, San Jose, and Sonoma. We interviewed campus personnel and audited procedures in effect at that time.

## BACKGROUND

As a result of a systemwide risk assessment conducted by the Office of the University Auditor during the last quarter of 1999, the Board of Trustees, at its January 2002 meeting, directed that *Disability Support and Accommodations* be reviewed.

The proposed scope of the audit as presented in Attachment B, Audit Item 2 of the January 29-30, 2002, meeting of the Committee on Audit stated that the review would include all CSU programs for disabled employees, students, and visitors including accessibility of facilities, provision of enabling supportive services, and use of adaptive technologies. Potential impacts include excessive costs, adverse publicity, inadequate accommodations and services, legal liabilities, and regulatory fines and sanctions. A related audit, *Handicapped Access*, was performed in 1988.

Beginning in the early 1970s, both the federal government and the state of California adopted laws that had far-reaching effects on improving services to students with disabilities and on the availability of these services at the postsecondary level. In 1973, Congress adopted the Federal Rehabilitation Act ensuring equal opportunity for persons with disabilities in the fields of employment and education and prohibiting discrimination on the basis of disability by any agency, including educational institutions that receive federal funds. In June 1977, the federal government issued regulations implementing Section 504 of the Rehabilitation Act of 1973. In response to Section 504 regulations, CSU campuses prepared self-evaluations that identified steps needed to ensure that students with disabilities had equal access to educational opportunities. In March 1980 and in response to the 1979 Budget Act, CSU also developed a policy statement that formalized the objectives of the Disabled Students Program to increase the enrollment of students with disabilities in the total student population and to facilitate their access to all educational programs. The *Policy for the Provision of Services to Students with Disabilities* detailed program goals and objectives, definitions of disabilities, and support services to be offered. The policy became the basis from which campus programs were developed and justified enrollment and funding requests. In 1980, the CSU Systemwide Advisory Committee on Services to Students with Disabilities was also established.

In 1989, the CSU revised the 1980 policy statement and incorporated disability services identified in Assembly Bill (AB) 746 into the new *Policy for the Provision of Services to Students with Disabilities*. In 1990, the federal government reinforced its commitment to individuals with disabilities by enacting the ADA. The ADA reaffirmed Section 504 of the Rehabilitation Act of 1973 regulations and extended the discrimination prohibition beyond the campus to businesses and organizations that did not receive federal funds. Additionally, the ADA detailed additional criteria in the areas of employment, new construction or renovation, transportation, and telecommunications. The ADA also required the appointment of an ADA coordinator and the development of a self-evaluation and transition plan to itemize compliance steps.

In November 1995, the Bureau of State Audits issued a report, *CSU and UC: Campuses Generally Provide Access for Students with Disabilities*, including four CSU and two University of California (UC) campuses. The report noted that overall, the chancellor's office (CO) of the CSU had developed adequate policies requiring respective campuses to comply with provisions of the ADA; all four campuses had developed adequate guidelines to meet the needs of, and provide access to, their students with disabilities; and students at all four campuses indicated a high level of satisfaction with services provided by their

respective campuses. Based on the audit results, the Bureau of State Audits recommended that the CO increase campus awareness of ADA requirements by instructing its campuses to provide training classes or seminars for faculty and staff, and address conditions and remove barriers that may deny access to its students. The CO concurred with the findings and most of the recommendations in the report.

Disabled student enrollment at the CSU has grown from 3,760 to 9,699 students (a 158% increase) from fall 1980 to fall 2001. Additionally, the number of students by disability category (visual limitation, communication disability, deafness, mobility limitation, learning disability, and other functional limitations) changed dramatically reflecting a growth of students with certain disabilities seeking services from campus disability support services programs. Most notably, the number of students with specific learning disabilities increased from 124 in fall 1980 (3.3% of students served) to 4,078 (42% of students served) in fall 2001.

Throughout this report, we will refer to the program as disability support and accommodations (DSA). The departments assigned responsibility for managing the campus DSA programs include, among others, services to students with disabilities, disabled student services, and the student disability resource center.

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## **OPINION**

We visited ten campuses from March 4, 2002, through November 18, 2002, and audited the procedures in effect at that time. Campus specific findings and recommendations have been discussed and reported individually.

In our opinion, the administration and management of the DSA program at the ten campuses provided reasonable assurance that the CSU was in compliance with applicable federal and state regulations, and for the most part, the DSA program operated effectively. We noted that the CSU had developed a comprehensive policy on the provision of services for students with disabilities that included, but was not limited to, guidelines for learning disability assessments, which had substantially increased at the campuses since the prior audit. The CSU also provided centralized support to the campuses via the Advisory Committee on Services with Students Disabilities; liaison and coordination efforts by the responsible chancellor's office departments; and the provision of minor capital funds for physical access improvements. However, our review disclosed that special attention was needed to ensure the ongoing viability and effective and efficient management of the overall DSA program. Specifically, we found that systemwide policy that addressed reasonable accommodations for employees, accessibility in websites and computer labs, the status of the campus transition plans required by the ADA, and other issues were significantly outdated, incomplete, and/or non-existent. Additionally, the CSU and/or external entities had not implemented effective controls to ensure compliance with various Education Code requirements that included, but were not limited to, the provision of handicap parking, the evaluation and reporting of disabled student services, and the provision of printed instructional material in effective electronic formats. Campuses did not maintain adequate controls over the following areas: the implementation of local Advisory Committees on Services for Students with Disabilities; written policies and procedures for accepting, researching and resolving complaints related to physical and programmatic access issues; the provision of accessible websites and computer labs in the distributed campus programs; and development of

ADA training plans for faculty, staff, and other individuals that work with disabled persons. These and other areas in need of improvement are referenced in the executive summary.

## **EXECUTIVE SUMMARY**

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

### **SYSTEMWIDE POLICY [8]**

Systemwide policies and procedures for the disability support and accommodations (DSA) program were either non-existent, incomplete, and/or outdated. Current and complete policies and procedures reduce the risk of misunderstandings related to the performance of duties and functions and inconsistencies in complying with state, federal, and California State University (CSU) systemwide policies.

### **EDUCATION CODE REQUIREMENTS [9]**

The chancellor's office (CO) was not in compliance with various Education Code provisions related to the provision of handicap parking and the evaluation and reporting of disabled student services. Compliance with legislative requirements reduces the risk of regulatory scrutiny and diminished services to disabled persons.

### **AGREEMENTS WITH EXTERNAL ORGANIZATIONS [12]**

Agreements between the CSU and other organizations were incomplete and/or outdated. Maintaining comprehensive agreements reduces misunderstandings and inconsistencies between current practice and the intentions of management and possible non-compliance with state and federal laws and regulations.

### **ASSEMBLY BILL 422 [13]**

Systemwide efforts to provide cost-effective and timely e-text as a reasonable accommodation to disabled students needed to be strengthened. Comprehensive written guidelines coupled with effective compliance by external entities that are bound by legislation reduce the risk of excessive and unnecessary costs, processing inefficiencies, potential regulatory scrutiny, and unmet student needs.

### **CAMPUS PROGRAM ADMINISTRATION [16]**

#### **ADVISORY COMMITTEE ON SERVICES TO STUDENTS WITH DISABILITIES [16]**

Four of the ten campuses visited did not have an active Advisory Committee on Services for Students with Disabilities. Maintaining an active and effective Advisory Committee on Services to Students with Disabilities reduces the risk that campus programs, services, and activities will not be fully accessible to all individuals.

## **WRITTEN POLICIES AND PROCEDURES [17]**

Comprehensive policies and procedures were not in place for certain aspects of the DSA program at five of the ten campuses visited. Developing, documenting, and communicating written policies and procedures reduce the risk that disabled students will be not properly served and that misunderstandings will occur.

## **PROGRAM AND PHYSICAL ACCESSIBILITY [17]**

Equal access to electronic communications and computer technology was not evident at nine of the ten campuses visited. Sufficient access to campus programs, services, activities, and communications reduces the risk of regulatory scrutiny, potential lawsuits, and negative publicity.

## **PERSONNEL QUALIFICATIONS AND TRAINING [19]**

An ADA training plan for faculty, staff, and other individuals that work with disabled persons had not been developed at four of the ten campuses visited. Maintaining an effective training plan reduces the risk of non-compliance with federal, state, and CSU policies.

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## OBSERVATIONS, RECOMMENDATIONS, AND MANAGEMENT RESPONSES

### SYSTEMWIDE POLICY

Systemwide policies and procedures for the disability support and accommodations (DSA) program were either non-existent, incomplete, and/or outdated.

Via internal departments and a systemwide advisory committee, the chancellor's office (CO) prescribed various policies for the DSA program that included, but were not limited to, a policy for the provision of accommodations and support services to students with disabilities and coded memoranda that addressed key components of the Americans with Disabilities Act (ADA). In the student support area, we found that the newly revised policy made adequate provisions for disabled student services at the campus and other educational areas. However, further analysis of other policies that related to the overall DSA program disclosed that:

- ▶ The existing technical letter for equal opportunity and access to employment and advancement was dated August 26, 1992, and was considered a general overview of the newly published ADA regulations. However, this policy and Executive Order No. 774, *Systemwide Guidelines for Nondiscrimination and Affirmative Action Programs in Employment*, dated May 17, 2001, did not include provisions and systemwide guidelines for reasonable accommodations in the workplace.
- ▶ There were no clear guidelines or systemwide policy for accessibility of websites, computer labs, and classrooms. Such guidelines and/or policy would include, but not be limited to, systemwide responsibility for ensuring equal access to these areas and prescribed standards that ensure compliance in a cost-effective and student-centered manner.
- ▶ Guidelines for providing faculty and staff with ADA training were not addressed in existing policy. Such guidelines would include, but not be limited to, responsibility for ensuring that training is provided to all persons that work with disabled persons, the frequency of training, and documentation of training efforts.

We also noted that in late 1992, academic affairs and human resources issued coded memoranda that addressed implementation deadlines for key ADA provisions such as the self-evaluation of existing practices and the correction of physical barriers impeding access to the campuses. Aside from this information, we could not locate successor policies that addressed:

- ▶ Physical accessibility in campus buildings and facilities and the responsibility at both the campus and systemwide levels for ensuring compliance in this area.
- ▶ Ongoing self-evaluations or reviews of all systemwide and campus programs, services, and activities for compliance with the ADA and other related laws and regulations.
- ▶ The maintenance of the transition plans that were prepared by Building Analytics in early 1990, or requirements to develop other cost-effective methodologies for tracking pending, continued, and completed improvements that affect program accessibility.

Lastly, we could not locate a systemwide policy that defined the ADA compliance infrastructure at the California State University (CSU). Such policy would include, but not be limited to, defined responsibility for all areas that impact compliance (e.g., student services, human resources, physical planning, legal counsel) and the process to monitor program compliance and report at the systemwide level.

State Administrative Manual (SAM) §20050 states that a satisfactory system of internal administrative controls shall include, but not be limited to, an established system of practices to be followed in performance of duties and functions. Further, policy and procedural or operational manuals that are not currently maintained are a danger signal of a poorly maintained or vulnerable control system.

A lack of current and complete policies and procedures increases the risk of misunderstandings related to the performance of duties and functions and inconsistencies in complying with state, federal, and CSU systemwide policies.

### **Recommendation 1**

We recommend that the chancellor's office:

- a. Review, update, and/or combine related policies and procedures for the DSA program considering the shared responsibilities between internal departments and campuses and risk implications.
- b. Define, formalize, and document responsibilities for the oversight of systemwide DSA activities, including policy and procedural development, and compliance monitoring and reporting.

### **Management's Response**

We concur with this recommendation. We will form a working group that includes representatives from Academic Affairs, Business and Finance, Human Resources, Academic Senate, and CSSA to develop draft recommendations by January 15, 2004, at which time they will be circulated for consultation and comment. Final guidelines will be distributed to campuses by August 1, 2004.

## **EDUCATION CODE REQUIREMENTS**

The chancellor's office (CO) was not in compliance with various Education Code provisions related to the provision of handicap parking and the evaluation and reporting of disabled student services.

We noted that:

- ▶ Although finance and treasury performed a systemwide inventory of campus parking spaces, there was no analysis of handicap parking spaces to ensure compliance with legislative requirements. Additionally, we could not locate any other CO department that performed this analysis and biennial audits.
- ▶ Academic affairs last coordinated a systemwide survey of disabled student services in August 1992. However, since then, neither a commensurate survey had been performed nor had the CO developed a comprehensive system to monitor and evaluate the disabled student services program on each campus.
- ▶ Systemwide reporting to the California Postsecondary Education Commission (CPEC) did not include staff and student perceptions of disabled student program effectiveness since, as noted above, these surveys and evaluations were not performed.

Education Code §67301(c) states that the Board of Governors of the California Community Colleges and the Trustees of the California State University shall, for their respective systems, and the Regents of the University of California may establish procedures for the purpose of conducting biennial audits to determine whether individual campuses are in compliance with all state building code requirements relating to the locations and the designation of minimum percentages of available campus parking spaces for use by students with disabilities, as determined by guidelines of Section 14679 of the Government Code, Section 2-7102 of Title 24 of the California Code of Regulations, Part 40 of Title 24 of the Code of Federal Regulations, Section 1190.31 of Title 36 of the Code of Federal Regulations, or their successor provisions of law, whichever provides the greater accessibility for disabled persons.

Education Code §67312(a)(4) and (b) state that the Board of Governors of the California Community Colleges and the Trustees of the California State University shall, for their respective systems, and the Regents of the University of California may develop and implement, in consultation with students and staff, a system for evaluating state-funded programs and services for disabled students on each campus at least every five years. At a minimum, these systems shall provide for the gathering of outcome data, staff and student perceptions of program effectiveness, and data on the implementation of the program and physical accessibility requirements of Section 794 of Title 29 of the Federal Rehabilitation Act of 1973. Commencing in January 1990, and every two years thereafter, the Board of Governors of the California Community Colleges and the Trustees of the California State University shall, for their respective systems, and the Regents of the University of California may submit a report to the Governor, the education policy committees of the Legislature, and the California Postsecondary Education Commission on the evaluations developed pursuant to subdivision (a). These biennial reports shall also include a review on a campus-by-campus basis of the enrollment, retention, transition, and graduation rates of disabled students.

Education Code §67310(f) states that pursuant to §67312, postsecondary institutions shall demonstrate institutional accountability and clear program effectiveness evaluations for services for students with disabilities.

CSU directive Academic Affairs (AA) 2002-35, *Policy for the Provision of Services to Students with Disabilities*, dated July 1, 2002, states that in consultation with students and staff, the CSU Office of the Chancellor shall develop and implement a system for evaluating state-funded programs and services for disabled students on each campus. The evaluations shall be conducted at least every five years. At a minimum, the evaluations shall report outcome data, staff and student perceptions of program effectiveness, implementation of the program, and physical accessibility requirements as specified in California State Building Code, Title 24 and the Americans with Disabilities Act Accessibility Guidelines.

The senior director of finance and treasury stated that although a parking inventory was prepared each year where the number of spaces for disabled persons by campus is collected, his office generally does not have responsibility for program compliance. The associate director of transfer and student programs stated that in the mid-1990s, CPEC discontinued certain reporting requirements related to disabled students that included, but was not limited to, staff and student perceptions of program effectiveness. She also stated that the CO was developing a survey instrument that will be distributed to the campuses in spring 2003, after it is reviewed by the campus directors of services for students with disabilities and other designated personnel.

Failure to comply with legislative requirements increases the risk of regulatory scrutiny and diminished services to disabled persons.

## **Recommendation 2**

We recommend that the chancellor's office:

- a. Define responsibility for conducting the biennial audits of handicap parking and implement procedures and monitoring controls to ensure that such audits are timely performed.
- b. Implement a system for evaluating the disabled student services program at each campus in the timeframe prescribed by legislative and CSU policy.
- c. Implement controls to ensure that systemwide reporting is performed in compliance with state laws and regulations.

## **Management's Response**

We concur with this recommendation.

- a. A policy will be issued by January 30, 2004, establishing responsibility for the conduct of biennial audits by the campuses and procedures will be established to monitor the timely completion of such audits.
- b. The chancellor's office has developed a satisfaction survey that will assess student, staff, and faculty satisfaction with all phases of the campus program of services to students with disabilities. This survey instrument is nearly completed, and it is scheduled to be sent to campuses for completion in September 2003 with a response date of December 15, 2003. We expect

approximately 5,000 faculty and students to complete the survey. Because of the number of responses, the compilation and analysis of the multiple-choice and narrative responses will take considerable staff time. As a result, we expect to issue the results of the survey by May 30, 2004.

- c. In the early 1990s, the systemwide reporting requirements described in Recommendation 2c were waived because the California Postsecondary Education Commission (CPEC) agreed to present this information in its annual report. The chancellor's office will explore updating the reporting agreement with the legislature and CPEC. Subject to the timely response of CPEC and the Legislature, we expect to resolve this issue by January 31, 2004, at which time we will issue appropriate guidance to campuses.

## **AGREEMENTS WITH EXTERNAL ORGANIZATIONS**

Agreements between the CSU and other organizations were incomplete and/or outdated.

We noted that:

- ▶ In January 1980, the Department of Rehabilitation (DOR) issued a revised policy statement for the provision of disability services to eligible clients attending post-secondary institutions. The statement indicated that after June 30, 1981, the CSU was responsible for assuming all costs for auxiliary aid to all disabled students; however, since that time, neither state agency took steps to develop a memorandum of understanding of shared responsibilities for mutual clients and cooperation subsequent to that time.
- ▶ The CO developed model operating agreements for use between the trustees and the various auxiliary organizations. These templates have been widely used throughout the campuses; however, they did not contain the ADA provision as required by CSU policy.

Education Code §67310(c)(2) prescribes that the legislature sets forth the following principles for public postsecondary institutions and budgetary control agencies to observe in providing postsecondary programs and services for students with disabilities: the state-funded activity should not duplicate services or instruction that are available to all students, either on campus or in the community.

SAM §20050 states that the elements of a satisfactory system of internal accounting and administrative control should include an established system of practices to be followed in performance of duties and functions in each of the state agencies.

*CSU Policy Manual for Contracting and Procurement (Release 2.1)* §228 states that all contracts must contain a condition stating that the contractor, by signing the contract, assures the university that it complies with the ADA, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

The associate director of transfer and student programs stated that, although efforts were underway to develop a memorandum of understanding with the DOR, progress has been slow due to personnel changes and other priorities at that agency. The director of contract services and procurement stated that not including the ADA provision in the model auxiliary agreements was an oversight.

Failure to maintain comprehensive agreements increases the risk of misunderstandings and inconsistencies between current practice and the intentions of management and non-compliance with state and federal laws and regulations.

### **Recommendation 3**

We recommend that the chancellor's office:

- a. Continue working with the DOR to develop and implement a state-level agreement on shared responsibilities and cooperation for disabled student services.
- b. Modify the model operating agreements for auxiliary organizations to include the required ADA provision.

### **Management's Response**

We concur with this recommendation.

- a. The chancellor's office has completed a draft memorandum of understanding with the Department of Rehabilitation (DOR). The draft MOU is being reviewed by DOR. We expect the MOU to be approved and signed by January 31, 2004.
- b. The ADA provision will be included in all auxiliary operating agreement models by October 1, 2003.

## **ASSEMBLY BILL 422**

Systemwide efforts to provide cost-effective and timely e-text as a reasonable accommodation to disabled students needed to be strengthened.

As signed by the Governor in 1999, Assembly Bill (AB) 422 required companies that publish printed instructional materials for students attending CSU, University of California, and the California Community Colleges to provide to the university, for use by students with visual disabilities at no additional cost and in a timely manner, any printed instructional material in unencrypted electronic form upon the receipt of a written request of the university. To ensure compliance with this legislation, the CSU initiated various actions as follows:

- ▶ In mid-2000, and working with an ad hoc committee of the Advisory Committee on Services to Students with Disabilities, academic affairs proposed a systemwide policy to address AB 422

requirements. This policy was shared with the campuses for review with a targeted final publication date of March 2001.

- ▶ In December 2000, and at the special request of Assemblymember Darrell Steinberg, the CO solicited statistics from the campuses regarding the e-text requests that had been received from students with visual disabilities, the number of requests that were sent to the publishers for electronic copies of materials, and the speed with which the publishers responded to the requests. This information noted that of the 200 student requests for e-texts, more than half were accommodated on the campus, 90 were forwarded to publishers, and 54 of those were honored by publishers. Although the respective campuses accommodated the unmet publisher requests in a timely and appropriate manner, the campuses noted some difficulties in this process.
- ▶ CO representatives met with Assemblymember Steinberg in April 2001, who reiterated his support for the bill and the need for a cooperative effort by all participants to implement the legislation. Various problem areas and potential solutions were discussed, most importantly, the need for strong communication between the publishers and standardized procedures at the publishers and the various institutions.
- ▶ In mid-2002, a Tiger Grant was secured by a selected group of disability support services directors to research the feasibility of adopting a coordinated and systematic approach to AB 422 compliance. Fifteen campuses responded to a survey which noted a 104% increase in books produced from Fall 2001 to Spring 2002. The study also noted that of the \$798,912 spent on alternative formats, \$469,421 was spent on e-text and only 27% of the e-texts produced had an average publisher delivery time of four to five weeks. The committee recommended a meeting with the other higher education segments, publishers, and other allies to explore best practices and common solutions.

Although the campuses were presently in compliance with Section 504 of the ADA that requires the delivery of alternate media communications to disabled students, we noted that:

- ▶ Systemwide efforts to deliver these materials to the students in a cost-effective manner were impeded by the publishers' lack of action or compliance with AB 422 that included, but was not limited to, the requirement to deliver computer files or electronic versions of printed instructional materials in a manner that maintained the structural integrity of the information.
- ▶ The proposed systemwide policy to address AB 422 requirements was not finalized by the CO and distributed to the campuses.

Education Code §67302(a) states that an individual, firm, partnership or corporation that publishes or manufactures printed instructional materials for students attending the University of California, the California State University, or a California Community College, shall provide to the university, college, or particular campus of the university or college, for use by students attending the University of California, the California State University, or a California Community College, any printed instructional material in an electronic format mutually agreed upon by the publisher or manufacturer and the college or campus. Computer files or electronic versions of printed instructional materials shall maintain the structural integrity of the printed instructional material, be compatible with

commonly used braille translation and speech synthesis software, and include corrections and revisions as may be necessary. The computer files or electronic versions of the printed instructional material shall be provided to the university, college, or particular campus of the university or college at no additional cost and in a timely manner.

Education Code §67302(i) states that the governing boards of the California Community Colleges, the California State University, and the University of California shall each adopt guidelines consistent with this section for its implementation and administration. At a minimum, the guidelines shall address all of the following: (1) the designation of materials deemed "required or essential to student success," (2) the determination of the availability of technology for the conversion of nonprinted materials pursuant to subdivision (d) and the conversion of mathematics and science materials pursuant to paragraph (4) of subdivision (e), (3) the procedures and standards relating to distribution of files and materials pursuant to subdivisions (a) and (b) and (4) other matters as are deemed necessary or appropriate to carry out the purposes of this section.

The associate director of transfer and student programs stated that the Advisory Committee on Services for Students with Disabilities was actively pursuing best practices and business models to facilitate delivery of alternate media, including e-text, in a cost-effective and efficient manner. He further stated that not finalizing the systemwide policy was due to a lack of resources and competing priorities that included, but were not limited to, the revision and publication of the policy on the provision of services to students with disabilities.

A lack of written guidelines coupled with a lack of compliance by external entities that are bound by legislation increase the risk of excessive and unnecessary costs, processing inefficiencies, potential regulatory scrutiny, and unmet student needs.

#### **Recommendation 4**

We recommend that the chancellor's office:

- a. Encourage publisher compliance with AB 422 requirements.
- b. Develop and document a systemwide strategy that coordinates efforts to provide alternate media, including e-text, between the campuses and possibly other higher education segments.
- c. Based on the strategy identified above, finalize and distribute systemwide guidelines for AB 422 implementation.

#### **Management's Response**

We concur with this recommendation.

- a. The chancellor's office is working with a subcommittee of the Services to Students with Disabilities Advisory Committee and the Office of General Counsel to develop strategies for encouraging publisher compliance with AB 422.

- b. A best practices model is being developed via a Tiger Grant from the chancellor's office Information Technology Services to address the development and sharing of e-texts with the goal of creating a central repository of e-texts. The Information Technology Services established a timeline calling for completion of this process by September 2004. However, in consultation with ITS in response to this audit, it was agreed to try to complete the grant project and to issue the best practices model to campuses by August 1, 2004.
- c. Guidelines for AB 422 are in draft form and have been reviewed by the directors of services to students with disabilities. We are waiting for National File Format legislation that will provide additional guidelines for e-text production and use and that will be integrated in the California State University's AB 422 guidelines. We expect to issue the AB 422 guidelines by January 31, 2004.

## **CAMPUS PROGRAM ADMINISTRATION**

### **ADVISORY COMMITTEE ON SERVICES TO STUDENTS WITH DISABILITIES**

Four of the ten campuses visited did not have an active Advisory Committee on Services for Students with Disabilities.

CSU directive AA 2002-35, *Policy for the Provision of Services to Students with Disabilities*, dated July 1, 2002, states that each campus shall establish an Advisory Committee on Services to Students with Disabilities.

Campus management cited various reasons for this issue including the current practice of resolving programmatic and physical access issues via the student complaint process.

Failure to maintain an active and effective Advisory Committee on Services to Students with Disabilities increases the risk that campus programs, services, and activities will not be fully accessible to all individuals.

#### **Recommendation 5**

We recommend that the chancellor's office remind the campuses of the importance of maintaining an active Advisory Committee on Services for Students with Disabilities.

#### **Management's Response**

We concur with this recommendation. The chancellor's office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

## **WRITTEN POLICIES AND PROCEDURES**

Comprehensive policies and procedures were not in place for certain aspects of the DSA program at five of the ten campuses visited.

We noted that students communicated complaints related to physical and programmatic access issues to various distributed campus departments that had not established internal policies and procedures for accepting, researching, and resolving such complaints.

CSU directive AA 2002-35, *Policy for the Provision of Services to Students with Disabilities*, dated July 1, 2002, states that directors of the program for students with disabilities shall establish guidelines to implement the provision of services.

SAM §20050 states that one symptom of a deficient internal control system is policy and procedural or operational manuals that are either not currently maintained or are non-existent.

The responsible deans and program directors acknowledged that informal complaint procedures were not documented and stated that in practice, student complaints were escalated to appropriate personnel within the school or department and that assistance from the director of services to students with disabilities was typically sought to ensure effective resolution of the complaint.

Failure to develop, document, and communicate written policies and procedures increases the risk that disabled students will be not properly served and that misunderstandings will occur.

### **Recommendation 6**

We recommend that the chancellor's office remind the campuses of the importance of developing and maintaining internal written policies and procedures for accepting, researching, and resolving student complaints received by the colleges and departments.

### **Management's Response**

We concur with this recommendation. The chancellor's office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

## **PROGRAM AND PHYSICAL ACCESSIBILITY**

Equal access to electronic communications and computer technology was not evident at nine of the ten campuses visited.

We found the following types of weaknesses in the various campus programs reviewed:

- ▶ Self-instructional and/or discipline specific computing labs did not have adaptive workstations for disabled persons, and designated workstations in certain labs lacked the appropriate assistive technology, and/or accessible tables and chairs at five campuses.
- ▶ Websites for various campus programs were not fully accessible by all persons and/or roles and responsibilities in this area had not been clearly defined and documented at seven campuses.
- ▶ Web accessibility policies had not been developed and/or finalized by three of the campuses.

Code of Federal Regulations (CFR) Title 28, Part 35, *Nondiscrimination on the Basis of Disability in State and Local Government Service*, §35.149, effective January 26, 1992, states that no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

CFR Title 28, Part 35, *Nondiscrimination on the Basis of Disability in State and Local Government Service*, §35.160(a) and §35.160(b)(1), state that a public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, and furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity, respectively.

CSU directive AA 2002-35, *Policy for the Provision of Services to Students with Disabilities*, dated July 1, 2002, states that CSU campuses must take appropriate steps to ensure that educationally related communications, including electronic communications with students, applicants, and others with disabilities are as effective as communications with the campus community. This includes equal access to all formats of written and electronic communication concerning campus information, the curriculum, and academic resources. Reasonable access to communications technology, including computer technology, must be provided whether learning takes place on campus or at a distance from the campus.

Campus management cited various reasons for these issues including a lack of training and knowledge in this area, limited resources, and divisions of responsibility on the campus that precluded effective monitoring and compliance enforcement.

Insufficient access to campus programs, services, activities, and communications increases the risk of regulatory scrutiny, potential lawsuits, and negative publicity.

### **Recommendation 7**

We recommend that the chancellor's office remind the campuses of the importance of maintaining equal access to electronic communications and computer technology.

### **Management's Response**

We concur with this recommendation. The chancellor's office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

## **PERSONNEL QUALIFICATIONS AND TRAINING**

An ADA training plan for faculty, staff, and other individuals that work with disabled persons had not been developed at four of the ten campuses visited.

The Bureau of State Audits report, *CSU and UC: Campuses Generally Provide Access for Students with Disabilities*, dated November 24, 1995, states that to increase campus awareness of ADA requirements, the chancellor's office of the CSU should instruct its campuses to provide training classes or seminars for faculty and staff.

Although the campuses had not documented a training plan, management at all of the campuses indicated that efforts were made to provide faculty and staff with useful information for working with persons with disabilities.

Not maintaining an effective training plan increases the risk of non-compliance with federal, state, and CSU policies.

### **Recommendation 8**

We recommend that the chancellor's office remind the campuses of the importance of developing an ADA training plan for faculty, staff, and other persons to ensure sufficient understanding of student disability issues and campus-related support and accommodation services.

### **Management's Response**

We concur with this recommendation. Employee Relations is working in conjunction with the Office of General Counsel to revise EO No. 774. The new executive order will explicitly inform campuses of the CSU's commitment to protect individuals with disabilities from discrimination and harassment and the need to provide reasonable accommodations upon request to qualified individuals with disabilities. The new executive order will also advise the campuses to conduct EEO training, including disability discrimination, for all employees soon after their start dates and periodically thereafter. A working draft will be developed by August 31, 2003, for consultation and comment. The new executive order will be issued by January 1, 2004.

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## APPENDIX A: PERSONNEL CONTACTED

### Chancellor's Office

Pat Dayneko	Director of Contract Services and Procurement
Patrick Drohan	Assistant Vice Chancellor, Capital Planning, Design, and Construction
Allison Jones	Assistant Vice Chancellor, Academic Affairs
John Karras	Associate Director, Transfer and Student Programs
Thomas Kennedy	University Architect
Richard Leffingwell	Senior Director of Finance and Treasury
Charlene Minnick	Director, Risk Management
Judy Osman	Associate Director, Transfer and Student Programs
Steven Raskovich	University Counsel
Maria Santos	Senior Director, Employee Relations and Practices

### California State University, Bakersfield

Tomás A. Arciniega	President
Wendell Barbour	Vice President for Information Resources
Bob Brown	Director, Facilities Management
Joan Canfield	Web/Portal Coordinator, Web Services
Patrick Choi	Support Services Specialist, Services for Students with Disabilities
Janice Clausen	Director, Services for Students with Disabilities
Joe DeCarlo	Facilities Operations Supervisor
Anita DuPratt	Chair, Performing Arts Department
Mark Evans	Dean, Extended University
Robert Fallon	Director of Housing
Jan Freshwater	Learning Disabilities Specialist, Services for Students with Disabilities
Kellie Garcia	Director, Personnel
James George	Provost, Vice President of Academic Affairs, and Americans with Disabilities Act Coordinator
Steve Herndon	Division Director, Student Affairs
George Hibbard	Vice President, Student Affairs
Marla Iyasere	Dean, School of Humanities and Social Services
Henry Lowenstein	Dean, School of Business and Public Administration
Liz McDannold	Library Assistant, Library
Michael Morris	Sergeant, Public Safety
Michael Neal	Vice President, Business and Administrative Services
Claudia Pereyra	Interim Director, International Students and Programs
Pat Robles	Circulation/Multicultural Librarian
Debra Rodrigues	Student Affairs Officer, Services for Students with Disabilities, Antelope Valley Branch Campus
Jan Rogers	Assistant to the Dean, Extended University
Nancy Rowe	Business and Administrative Services
Edwin Sasaki	Interim Dean, Undergraduate Studies Office
Clark Sanford	Director, Media Services
Vera Stock	Sign Language Interpreter, Services for Students with Disabilities
Michelle St. John	Interim Director, Antelope Valley Branch Campus
Sharon Taylor	Assistant Vice President of Fiscal Services

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APPENDIX A

Kurt Thompson Director, Office of Safety and Risk Management  
Dave Watts Manager, Telecommunications

California State University, Fresno

John D. Welty President  
Audrey Anderson Dean, Division of Extended Education  
Deborah Astone Executive Director, California State University, Fresno Association, Inc.  
Brad Barker Security Coordinator, PeopleSoft Implementation  
Tina Bedell Registrar  
Barbara Benedict Director, Advising Services  
Pat Blore Counselor, Services to Students with Disabilities  
Beth Case Counselor, Services to Students with Disabilities  
Virginia Chadwick Chair, President's Committee on Disabilities  
Thomas Ebert Associate Vice President for Academic Personnel  
Candace Egan Web Manager  
Vivian Franco Director, Admissions and Records  
Karen Kinney Associate Director, Library  
Walter Loscutoff Associate Dean, College of Engineering  
Maxine McDonald Executive Director, Academic Enhancement Services  
David Moll Environmental Health and Safety Officer  
Robert Paul Associate Vice President and Director, University Health and Psychological Services  
Benjamin Quillian Vice President for Administration  
Jeannine Raymond Director, Human Resources  
J. Chris Robinson Internal Auditor  
Judy Sakkai Vice President, Student Affairs and Dean of Students  
Vida Samiian Associate Dean, College of Arts and Humanities  
Carol Snee Director, Services to Students with Disabilities  
Gary Wilson Director, Facilities Planning  
Mehrzaad Zarrian Director, University Student Union

California State University, Fullerton

Milton A. Gordon President  
Peggy Barlow Staff, Financial Aid  
Jay Bond Associate Vice President of Facilities Management  
Kurt Borsting Director, Titan Student Union  
Elizabeth Buchanan Office Manager, Disabled Student Services  
Caroline Cosgrove Coordinator of Disabled Employees Program  
Kathryn Crawford Staff, College of Business and Economics  
Amir Dabirian Director of Internet Technologies  
Debra Fletcher Learning Disability Specialist, Disabled Student Services  
Quentin Frasier Emergency Preparedness Coordinator, Public Safety  
Rosamaria Gomez-Amaro Director of Office of Diversity and Equity Programs  
Willie J. Hagan Vice President of Administration  
Elizabeth Housewright Associate University Librarian  
Melody Johnston Associate Dean of University Extended Education Services  
J. Douglas Liverpool Counseling and Learning Disability Coordinator, Disabled Student Services  
Maria Mezhinsky Admissions and Records Data Coordinator

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APPENDIX A

Paul Miller	Director, Disabled Student Services
Kandy Mink	Associate Vice President of Student Affairs
Sherri L. Newcomb	Chief Financial Officer
Harry Norman	Dean of University Extended Education Services
Robert L. Palmer	Vice President, Student Affairs
Jim Powell	Web Team Leader
Robert Sage	Instruction and Information Services Coordinator
Jeff Senge	Coordinator of Information and Computer Access Program
Darlene Stevenson	Director, Housing and Residential Life
Lisa Thies	Support Services Coordinator
Alex Tzoumas	Director of Internal Audit
Colleen Wilkins	Environmental Health and Instructional Safety
 <u>Humboldt State University</u>	
Rollin Richmond	President
Elizabeth Archibald	Office Manager, Student Disability Resource Center
Mark Baker	Construction Manager, Plant Operations
Randi Burke	Assistant to the Vice President, Student Affairs
Steven Butler	Vice President, Student Affairs
William Cannon	Director, Information Technology Services
John Cappacio	Director, Housing and Dining Services
Karen Carlton	Dean, College of Arts, Humanities, and Social Sciences
Patrick Collins	Information Technology Consultant, College of Natural Resources and Sciences
Tammy Curtis	Recruitment Manager, Human Resources
James Daniels	Director, Academic Support Programs
Nick DeRuyter	Manager, University Computer Services
Jean Eller	Education Resource Assistant, Student Disability Resource Center
John Erickson	Operations Manager, University Center
Robert Foster	Chief, University Police
Ronald Fritzsche	Executive Assistant to the Vice President, Academic Affairs
Roy Furshpan	Director, Center Arts
Esther Gilchrist	Office Manager, Human Resources
Michael Goodman	Chair, Theatre, Film, and Dance
Carl Hansen	Director, Extended Education
Dawn Hill	Director for Diversity and Compliance Programs
Debbie Hopkins	Construction Management Specialist, Plant Operations
Peter Johnson	Database Administrator, University Computer Services
Andrew Jones	Web Master, Community Relations
Sean Kearns	Director of University Communications, Community Relations
Ralph McFarland	Director, Student Disability Resource Center
James McHugh	Associate Professor, Theatre, Film, and Dance
Megan McKenzie	Information Technology Consultant, College of Arts, Humanities and Social Sciences
Timothy Moxon	Director, Plant Operations
Carolyn Mueller	Executive Assistant to the President
Betty Newman	Administrative Support Coordinator, Physical Services
Burt Nordstrom	Executive Director, University Center

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APPENDIX A

Linda Parker	Administrative Support, Student Disability Resource Center
Phillip Perez	Physical Planner, Physical Services
Wayne Perryman	Chair, Library Access
Valgene Phillips	Associate Dean, College of Arts, Humanities, and Social Sciences
Robert Schulz	Director, Physical Services
Robert Seltzer	Assistant Director, Human Resources/ Chairperson, Assistive Device Equipment Committee
Cliff Shall	Manager, Telecommunications and Network Services
Steven Smith	Associate Dean, College of Natural Resources and Sciences
Steve Sullivan	Supervisor, Parking and Commuter Services
Laurie Takao	Systems Manager, Academic Computing
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California State University, Long Beach

Robert C. Maxson	President
Susan Brown	Director, Physical Planning
Jeane Cavaness	Director, Student Life and Development
Doug Cox	Director, New Media Communications/University Webmaster
Marilyn Crego	Dean, University College & Extension Services
William Griffith	Vice President, Administration and Finance
Faith Fontan	Coordinator, Deaf Support Services, Disabled Student Services
Kathleen Hext	Director, Internal Auditing Services
Katharyn Holmes	Coordinator, Stephen Benson Learning Disability Program
Jean Houck	Dean, College of Education
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Roman Kochan	Dean of Library Services
Steve Larson	Assistant Director, Facility Planning & Management, University Student Union
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Rachel Mahgerefteh	Assistant Support Services Coordinator, Disabled Student Services
Eugene Minter	Director, University Student Union
Ed Morton	Director, Career Development Center
Pam Muilenburg	Administrative Support Coordinator, Disabled Student Services
Leah Nieto	Assistant Director Academic Support Enrollment Services
Alan Nishio	Associate Vice President, Student Services
Stan Olin	Director, Housing and Residential Life
Donald Para	Dean, College of the Arts
Penny Peterson	Coordinator High Tech Center, Disabled Student Services
Peter Perbix	Coordinator Support Services, Disabled Student Services
Robert Quirk	Director, Facilities Management
Jan Reyes	Director, Office of Equity and Diversity/ADA Coordinator
Douglas Robinson	Vice President for Student Services
David Sanfilippo	Director, Disabled Student Services
Aysu Spruill	Senior Internal Auditor

California State University, Northridge

Jolene Koester	President
Tom Brown	Director, Physical Plant Management
Edward Carrol	Dean, College of Science and Mathematics

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APPENDIX A

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Susan Curzon	Dean, University Library
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Joyce Feucht-Haviar	Dean, College of Extended Learning
Debra Hammond	Director, University Student Union
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Angela McHugh	Accounts Receivable Supervisor
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Charlie Neff	Accounting Manager, Center on Disabilities
Ron Norton	Director, Environmental Health and Occupational Safety
Susan Parker	Associate Dean, University Library
Merri Pearson	Director, National Center on Disabilities
Terry Piper	Vice President for Student Affairs
Mohammad Qayoumi	Vice President, Administration and Finance
Harry Rizer	Director, Center on Disabilities
Adele Steele	Director, Career Center
Tim Trevan	Director, Residential Life and University Conference Center
Mike Weaver	Director, Finance and Academic Support, College of Extended Learning
Kurt Webb	Director, Information Technology Resources User Support Services
Mika Williamson	Manager, Compensation and Employment Programs
Eric Willis	System Administrator, University Library

California State University, San Bernardino

Albert K. Karnig	President
Patricia Arlin	Dean, College of Education
Chani Beeman	Coordinator, Academic Computing and Media
Susan Berilla	Manager, Training and Development
Twillea Carthen	Manager, Recruitment and Human Resources Programs, and Disabled Employees Program Coordinator
Mary Chouinard	Associate Director, Records, Registration, and Evaluations
Larry Cummins	Computer Lab Technician, WorkAbility IV
David DeMauro	Vice President, Administration and Finance
Carolynn Eggleston	Associate Professor and Chair of the Advisory Committee
Christopher Eller	Webmaster, Academic Computing and Media
Nicholas Erickson	Director, Office of Housing and Residential Life
Inez Everett	Administrative Analyst, Services to Students with Disabilities
Laurie Flynn	Director, Services to Students with Disabilities
Christine Hansen	Director, Student Leadership and Development

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APPENDIX A

Craig Henderson	Counselor, Academic Support Services, Services to Students with Disabilities, and Student Affairs Judicial Officer
Ruth Howell	Project Secretary, WorkAbility IV
Paulie Kimball	Student and Advisory Committee Member
Helga Kray	Executive Director, Student Union
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Karen Newman	Aide to the Vice President, Student Affairs
Gordon L. Patzer	Dean and Professor, College of Business and Public Administration
Linda Pella-Hartley	Aide to the Vice President, Administration and Finance
Kevin Price	Coordinator, Assistive Resource Computing Center
Johnnie Ann Ralph	University Librarian
Amanda Retsek	Deaf Services Specialist, Services to Students with Disabilities
Sandra Richards	Director, Extension Programs, College of Extended Learning
Frank Rincon	Vice President, Student Affairs
Thomas Rivera	Associate Dean, Undergraduate Studies
William Shum	Director, Capital Planning, Design and Construction
Tony Simpson	Director, Facilities Services
Amanda Spivey	Career Development Coordinator, WorkAbility IV
William Takehara	Associate Vice President, Financial Operations
Camille Tortez	Interim Emergency Operations Coordinator
J. Paul Vicknair	Associate Provost, Academic Personnel
Howard Wang	Assistant Vice President, Student Affairs
Dale West	Director, Human Resources

San Diego State University

Stephen L. Weber	President
Elizabeth Bacon	Disability Program Coordinator, Office of Diversity and Equity
Sue Blair	Director, Center for Human Resources
Cherie Bloodworth	Coordinator of Special Sessions, College of Extended Studies
Bill Boyd	Associate Vice President, Enrollment Services
Bea Briggs	Facilities Coordinator, Library and Information Access
Valerie Carter	Tax and Audit Coordinator, Business Information Management
Cindy Chie	Graphic Designer, Academic Affairs
Dan Cornthwaite	Executive Director, Associated Students, Inc.
Cheryl Fisher	Administrator, Office of Diversity and Equity
Ellene Gibbs	Director, Business Information Management
Joan Helfond	Assistant Director, Disabled Student Services
Helen Henry	Director, Library Administrative Operations
Laura Hudson	Information Technician, Library and Information Access
Pat Kroncke	Interim Director, Housing and Residential Life
Patricia Lozada-Santone	Assistant Dean of Student Affairs, College of Education
Keith Parks	Graphic Designer, Divisional Communications for Student Affairs
Cesar Portillo	Worker's Compensation Manager, Center for Human Resources
Mary Shojai	Director, Disabled Student Services
Susan Shuckett	Interim Director, Residential Education

San José State University

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APPENDIX A

Robert L. Caret	President
Gloria S. Alva	Administrative Assistant to the Director, Disability Resource Center
Marlene Anderson	Bursar, Bursar's Office
Dona Bertain	Associate Vice President, Human Resources Services Group
Eric V. Christierson	Adaptive Computer Specialist, Disability Resource Center
Bill Coker	Lieutenant, University Police
Joyce D'Amico	Executive Assistant to the Dean, College of Business
Brad Davis	Diversity and Personnel Officer, Office for Equity and Diversity
Armand de la Cruz	Deaf and HOH Services Coordinator, Disability Resource Center
Nancie Fimbel	Associate Dean, College of Business
Alvaro Gomez	Interim Associate Director, Disability Resource Center
Susan Hansen	Director, University Housing Services
Kristin A. Kelly	Administrative Services Manager, Student Union
Vida C. Kenk	Associate Dean, College of Science
Susanna Liu	Librarian
Steve Mansfield	Facilities Coordinator, College of Science
Cindy Marota	Interim Director, Disability Resource Center
Martin B. Schulter	Interim Associate Vice President for Student Services
Julie Sedlemeyer	Workability IV Associate Director, Career Center
Wiggys Sivertsen	Director, Counseling Services
Steve Zlotolow	Associate Dean, International and Extended Studies

Sonoma State University

Ruben Armiñana	President
Les Adler	Dean, School of Extended Education
Barbara Butler	Library Dean
T.K. Clarke	Dean, School of Business and Economics
Katharyn Crabbe	Vice Provost
Erik Dickson	President, Associated Students, Inc.
Deborah DuVall	Director of Planning
Laurence Furukawa-Schlereth	Vice President, Administration and Finance
Judith Hunt	Associate Vice President, Faculty Affairs
Kurt Koehle	Director, Internal Operations Analysis and Review
Linda Lipps	Director, Disabled Student Services
Terilynn Miller-Pennisi	Employee Relations Representative
Barbara Moore	Manager, New Media Technology
Edna Nakamoto	Senior Director, Human Resources
Saeid Rahimi	Dean, School of Science and Technology
Chuck Rhodes	Director, Residential Life
Georgia Schwartz	Director, Student Health Center
Tim Tiemens	Director, Housing Services
Bob Williams	Director, University Student Union
Steve Wilson	Associate Vice President, Administration and Finance
Tim Young	Director, Employee Diversity and University Compliance



# THE CALIFORNIA STATE UNIVERSITY

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 LONG BEACH • LOS ANGELES • MARITIME ACADEMY • MONTEREY BAY • NORTHBRIDGE • POMONA • SACRAMENTO  
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**DAVID S. SPENCE**  
 EXECUTIVE VICE CHANCELLOR  
 CHIEF ACADEMIC OFFICER

August 4, 2003

RECEIVED  
 UNIVERSITY AUDITOR

AUG - 4 2003

THE CALIFORNIA STATE  
 UNIVERSITY

**To:** Mr. Larry Mandel

**From:** David S. Spence *David S*

**Subject:** **Management Response to Recommendations of Audit Report Number 02-33, *Disability Support and Accommodations*, Systemwide**

Thank you for your July 14, 2003 memorandum transmitting the draft audit report Number 02-33, *Disability Support and Accommodations*, Systemwide. In accordance with the *Policies and Procedures for the Office of the University Auditor*, we have inserted our response and corrective action plan to each of the eight recommendations on the enclosed diskette/file that you provided with the audit recommendations. A printed copy of the recommendations with our management response is also enclosed.

We appreciate both the work and the recommendations of the Office of the University Auditor. The recommendations and our corrective action plan will strengthen the effectiveness of our program of services to students with disabilities.

DSS:lem

Enclosures

cc: Dr. Charles B. Reed (without diskette)  
 Mr. Richard P. West (without diskette)  
 Ms. Jackie R. McClain (without diskette)  
 Mr. Allison G. Jones (without diskette)  
 Mr. J. Patrick Drohan (without diskette)  
 Mr. Dennis Hordyk (without diskette)

## DISABILITY SUPPORT AND ACCOMMODATIONS

### SYSTEMWIDE

REPORT NO. 02-33

## SYSTEMWIDE POLICY

### Recommendation 1

We recommend that the chancellor's office:

- a. Review, update, and/or combine related policies and procedures for the DSA program considering the shared responsibilities between internal departments and campuses and risk implications.
- b. Define, formalize, and document responsibilities for the oversight of systemwide DSA activities, including policy and procedural development, and compliance monitoring and reporting.

### Management's Response

We concur with this recommendation. We will form a working group that includes representatives from Academic Affairs, Business and Finance, Human Resources, Academic Senate, and CSSA to develop draft recommendations by January 15, 2004 at which time they will be circulated for consultation and comment. Final guidelines will be distributed to campuses by August 1, 2004.

## EDUCATION CODE REQUIREMENTS

### Recommendation 2

We recommend that the chancellor's office:

- a. Define responsibility for conducting the biennial audits of handicap parking and implement procedures and monitoring controls to ensure that such audits are timely performed.
- b. Implement a system for evaluating the disabled student services program at each campus in the timeframe prescribed by legislative and CSU policy.
- c. Implement controls to ensure that systemwide reporting is performed in compliance with state laws and regulations.

### Management's Response

We concur with this recommendation.

(2a) A policy will be issued by January 30, 2004 establishing responsibility for the conduct of biennial audits by the campuses and procedures will be established to monitor the timely completion of such audits.

(2b) The Chancellor's Office has developed a satisfaction survey that will assess student, staff, and faculty satisfaction with all phases of the campus program of services to students with disabilities. This survey instrument is nearly completed, and it is scheduled to be sent to campuses for completion in September 2003 with a response date of December 15, 2003. We expect approximately 5,000 faculty and students to complete the survey. Because of the number of responses, the compilation and analysis of the multiple-choice and narrative responses will take considerable staff time. As a result, we expect to issue the results of the survey by May 30, 2004.

(2c) In the early 1990s, the systemwide reporting requirements described in Recommendation 2c were waived because the California Postsecondary Education Commission (CPEC) agreed to present this information in its annual report. The Chancellor's Office will explore updating the reporting agreement with the legislature and CPEC. Subject to the timely response of CPEC and the Legislature, we expect to resolve this issue by January 31, 2004 at which time we will issue appropriate guidance to campuses.

## AGREEMENTS WITH EXTERNAL ORGANIZATIONS

### Recommendation 3

We recommend that the chancellor's office:

- a. Continue working with the DOR to develop and implement a state-level agreement on shared responsibilities and cooperation for disabled student services.
- b. Modify the model operating agreements for auxiliary organizations to include the required ADA provision.

### Management's Response

We concur with this recommendation.

(3a) The Chancellor's Office has completed a draft memorandum of understanding with the Department of Rehabilitation (DOR). The draft MOU is being reviewed by DOR. We expect the MOU to be approved and signed by January 31, 2004.

(3b) The ADA provision will be included in all auxiliary operating agreement models by October 1, 2003.

## ASSEMBLY BILL 422

### Recommendation 4

We recommend that the chancellor's office:

Encourage publisher compliance with AB 422 requirements.

- b. Develop and document a systemwide strategy that coordinates efforts to provide alternate media, including e-text, between the campuses and possibly other higher education segments.
- c. Based on the strategy identified above, finalize and distribute systemwide guidelines for AB 422 implementation.

**Management's Response**

We concur with this recommendation.

(4a) The Chancellor's Office is working with a subcommittee of the Services to Students with Disabilities Advisory Committee and the Office of General Counsel to develop strategies for encouraging publisher compliance with AB 422.

(4b) A best practices model is being developed via a Tiger Grant from the Chancellor's Office Information Technology Services to address the development and sharing of e-texts with the goal of creating a central repository of e-texts. The Information Technology Services established a timeline calling for completion of this process by September 2004. However, in consultation with ITS in response to this audit, it was agreed to try to complete the grant project and to issue the best practices model to campuses by August 1, 2004.

(4c) Guidelines for AB 422 are in draft form and have been reviewed by the directors of services to students with disabilities. We are waiting for National File Format legislation that will provide additional guidelines for e-text production and use and that will be integrated in the California State University's AB 422 guidelines. We expect to issue the AB 422 guidelines by January 31, 2004.

**CAMPUS PROGRAM ADMINISTRATION**

**ADVISORY COMMITTEE ON SERVICES TO STUDENTS WITH DISABILITIES**

**Recommendation 5**

We recommend that the chancellor's office remind the campuses of the importance of maintaining an active Advisory Committee on Services for Students with Disabilities.

**Management's Response**

We concur with this recommendation. The Chancellor's Office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

**WRITTEN POLICIES AND PROCEDURES**

**Recommendation 6**

We recommend that the chancellor's office remind the campuses of the importance of developing and maintaining internal written policies and procedures for accepting, researching, and resolving student complaints received by the colleges and departments.

**Management's Response**

We concur with this recommendation. The Chancellor's Office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

**PROGRAM AND PHYSICAL ACCESSIBILITY****Recommendation 7**

We recommend that the chancellor's office remind the campuses of the importance of maintaining equal access to electronic communications and computer technology.

**Management's Response**

We concur with this recommendation. The Chancellor's Office will convey this information to campuses in a systemwide memorandum by September 30, 2003.

In addition, upon the recommendation of the Academic Technology Advisory Committee, the Chancellor's Office has appointed an ad hoc committee on technology accessibility which is charged with developing guidelines for the implementation of the Americans with Disabilities Act within the CSU that ensure that all instructional materials and student services made available through the use of technology are fully accessible to students with disabilities. The ad hoc committee draft guidelines will be completed by January 2004 at which time they will be circulated for consultation and comment. The Chancellor's Office expects to issue the final guidelines by June 30, 2004.

**PERSONNEL QUALIFICATIONS AND TRAINING****Recommendation 8**

We recommend that the chancellor's office remind the campuses of the importance of developing an ADA training plan for faculty, staff, and other persons to ensure sufficient understanding of student disability issues and campus-related support and accommodation services.

**Management's Response**

We concur with this recommendation. Employee Relations is working in conjunction with the Office of General Counsel to revise EO 774. The new executive order will explicitly inform campuses of the California State University's commitment to protect individuals with disabilities from discrimination and harassment and the need to provide reasonable accommodations upon request to qualified individuals with disabilities. The new executive order will also advise the campuses to conduct EEO training, including disability discrimination, for all employees soon after their start dates and periodically thereafter. A working draft will be developed by August 31, 2003 for consultation and comment. The new executive order will be issued by January 1, 2004.

THE CALIFORNIA STATE UNIVERSITY  
OFFICE OF THE CHANCELLOR

BAKERSFIELD

September 4, 2003

CHANNEL ISLANDS

HICO

**MEMORANDUM**

DOMINGUEZ HILLS

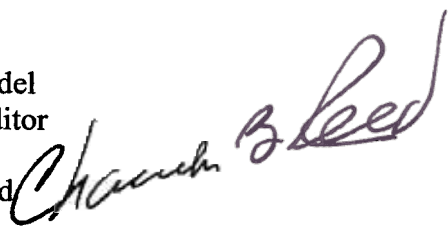
FRESNO

TO: Mr. Larry Mandel  
University Auditor

FULLERTON

HAYWARD

FROM: Charles B. Reed  
Chancellor



HUMBOLDT

LONG BEACH

SUBJECT: Draft Final Report Number 02-33 on *Disability Support and Accommodations*, Systemwide

LOS ANGELES

MARITIME ACADEMY

In response to your memorandum of September 4, 2003, I accept the response as submitted with the draft final report on *Disability Support and Accommodations*, Systemwide.

MONTEREY BAY

NORTHRIDGE

POMONA

CBR/ac

SACRAMENTO

Enclosure

SAN BERNARDINO

SAN DIEGO

cc: Dr. David S. Spence,  
Executive Vice Chancellor and Chief Academic Officer

SAN FRANCISCO

Mr. Richard P. West  
Executive Vice Chancellor and Chief Financial Officer

SAN JOSE

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS