

**DISABILITY SUPPORT AND ACCOMMODATIONS**

**CALIFORNIA STATE UNIVERSITY,  
LONG BEACH**

**Report Number 02-43  
March 14, 2003**

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**Members, Committee on Audit**

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Senior Auditor: John Stegall

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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
CSU	California State University
CSULB	California State University, Long Beach
DSA	Disability Support and Accommodations
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 March 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.

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## 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). At California State University, Long Beach (CSULB), the disabled student services department, the ADA coordinator, programmatic managers, and other responsible individuals administer the DSA program.

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## **OPINION**

We visited the CSULB campus from October 21, 2002, through November 18, 2002, and audited the procedures in effect at that time.

In our opinion, the administration and management of the DSA program provided reasonable assurance that CSULB was in compliance with applicable regulations, CSU policies, and other directives. Through coordinated efforts with the development office, the campus established a scholarship fund, a high-tech center, and a braille transcription center for disabled students. The campus also demonstrated a commitment to disabled employees, students, and visitors by providing accessible parking; incorporating accessibility requirements in new construction and renovation projects; and providing training workshops and seminars that include ADA accessibility and compliance requirements. However, our review disclosed that certain components of the DSA program needed improvement. Specifically, websites were not fully accessible by all persons; an accessibility complaint in the student union was not resolved timely; disabled student files lacked appropriate documentation; and access to disabled student information was not adequately controlled. 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.

### **PROGRAM AND PHYSICAL ACCESSIBILITY [6]**

#### **WEBSITE ACCESS [6]**

Campus websites were not fully accessible by all persons. Providing access to campus programs, services, activities, and communication reduces the risk of regulatory scrutiny, potential lawsuits, and negative publicity.

#### **STUDENT UNION [7]**

Campus practices did not ensure timely resolution of a student union accessibility issue. Effective campus practices reduce the risk that campus programs, services, and activities will not be fully accessible to all individuals.

### **DISABILITY VERIFICATION AND PROVISION OF SERVICES [8]**

Student disability information was not afforded adequate protection or properly documented. Adequate control over disability information reduces the risk of unauthorized disclosure of personal information, campus liability due to inappropriate activities, and potential disputes over the provision of services.

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## **OBSERVATIONS, RECOMMENDATIONS, AND CAMPUS RESPONSES**

### **PROGRAM AND PHYSICAL ACCESSIBILITY**

#### **WEBSITE ACCESS**

Campus websites were not fully accessible by all persons.

We noted that websites for seven campus programs (housing and residential life, university college and extension services, career development center, college of the arts, college of education, university student union, and student life and development) were not fully accessible by all persons. Additionally, the campus had not finalized a web accessibility policy that was drafted in fiscal year 2000-2001.

Code of Federal Regulations (CFR) Title 28, Part 36, *Nondiscrimination on the Basis of Disability in State and Local Government Services*, §35.160(a) and §35.160(b)(1), effective January 26, 1992, states that a public entity shall take appropriate steps to ensure that communication with applicants, participants, and members of the public with disabilities are as effective as communication 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.

The director of new media communications stated that as technology for web page development grew at the campus, commensurate policy development and central structure and support were not implemented.

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

#### **Recommendation 1**

We recommend that the campus:

- a. Finalize and distribute the campus web accessibility policy.
- b. Implement controls to ensure compliance with the campus web accessibility policy.

#### **Campus Response**

We concur with the recommendations.

- a. The campus finalized its web accessibility policy and issued it on December 9, 2002. A copy of the policy was provided to the auditors on March 14, 2003.
- b. The campus has implemented an aggressive plan to bring the official campus websites into compliance in accordance with the approved policy. Controls have already been established to ensure progress is on track. Well under way are creation of a list of official websites,

development of a progress chart, “before and after” computerized website accessibility tests as each site is updated, and quarterly progress reports to the vice presidents for academic affairs, student services, university relations and development, and administration and finance by the campus web master (director of new media communications), who is heading the project.

Corrective action on both parts of this finding is complete.

## **STUDENT UNION**

Campus practices did not ensure timely resolution of a student union accessibility issue.

For the prior two years, disabled students escalated complaints regarding inaccessible doors in the student union facility. Although the complaints were raised to both campus and student union management, timely resolution of this issue had not been achieved.

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.

The student union director stated that several situations caused a delay in correcting the accessibility issue with the doors. Specifically, there were accounting errors in the Office of the Chancellor regarding the student union repair and replacement fund; cost increases for the door repair that occurred in the interim resolution period; and the submission of an additional request to the Office of the Chancellor to use repair and replacement funds.

Failure to implement effective practices increases the risk that campus programs, services, and activities will not be fully accessible to all individuals.

### **Recommendation 2**

We recommend that the campus:

- a. Establish controls to ensure timely resolution of disabled student complaints.
- b. Correct the accessibility issue regarding the student union facility doors.

### **Campus Response**

We concur with the recommendations.

- a. Written procedures incorporating controls to ensure timely resolution of disabled student complaints have been completed and implemented.
- b. The contract for the replacement of the student union facility doors was signed on January 28, 2003. The work to replace the doors is currently under way and will be completed by April 30, 2003, and documentation to evidence this will be provided at that time.

Corrective action on both parts of this finding is complete.

## **VERIFICATION OF DISABILITIES AND PROVISION OF SERVICES**

Student disability information was not afforded adequate protection or properly documented.

A review of 30 disabled student files disclosed that:

- ▶ In seven instances, disability verification from a qualified professional was not on file.
- ▶ Disability services and/or accommodations provided to students were not documented in ten files.
- ▶ Over 175 campus employees were provided update and access capabilities to student disability information on the OASIS system without a need to know.

Coded memorandum Academic Affairs (AA) 2002-25, dated July 1, 2002, *Policy for the Provision of Accommodations and Support Services to Students with Disabilities*, provides that campuses are to maintain documentation from a verifying professional qualified to assess the nature and extent of a disability; the director or designee of the program or service has the authority to verify a disability; for reporting purposes, individuals with disabilities shall be counted in one of six broad disability categories; and each campus shall maintain appropriate confidential records that identify students with disabilities.

The director of disabled student services stated that the focus of the office is to help students, and staff often become so involved in assisting and serving students, working with faculty, and making referrals, that they fail to document their efforts. The assistant director of academic support enrollment services stated that the data file housing disabled student information also contains student biographical information necessitating access and update permissions to a large number of campus employees.

Inadequate control over disability information increases the risk of unauthorized disclosure of personal information, campus liability due to inappropriate activities, and potential disputes over the provision of services.

### **Recommendation 3**

We recommend that the campus:

- a. Implement controls to ensure adequate documentation of disabled student files.
- b. Implement controls to ensure protection of student disability information in automated computer systems, including periodic review of data security access assignments.

### **Campus Response**

We concur with the recommendations.

- a. Procedures to ensure adequate documentation of disabled student files have already been written and implemented. Missing items have been obtained and added to those files cited in the auditor's report.
- b. The campus is very sensitive to the importance of protecting the confidentiality of student disability information in its automated computer systems. Due to the composition of panels in the old student administration (legacy) OASIS system, student disability identification was included on the same panels that contained other information needed by a larger group of central office users. All campus personnel who currently have access to this data have received instructions on the importance of using the data only for legitimate work-related purposes. As each module of the new PeopleSoft Student Administration (SA) system comes online, these people will no longer access the student records in the OASIS system.

The new PeopleSoft SA System is currently well into the implementation stage, with many of the student records already converted to it. In this new system the following controls have been implemented to restrict access to the student disability information to only those persons with a legitimate need to know:

- a) Need for access and job requirements will be documented on the system security authorization form, which is reviewed and signed by both the employee's supervisor and the student administration security administrator;
- b) A fully completed confidentiality/security agreement will accompany the system security authorization form. No access to the system is given without the completion of a confidentiality/security agreement;
- c) The CSU baseline has developed special fields for disability types and programs in the enrollment reporting system (ERS). These fields are on an ERS sub-panel. Only personnel in the disabled student services (DSS) office and a few individuals from enrollment services and institutional research team will have access to this sub-panel for the reporting of the various disability categories/statistics to the chancellor's office;
- d) The DSS has also established a procedure to periodically request and review a report of security access assignments to the disabled student information once the system is fully implemented. This annual review will be documented and any necessary changes in access will be made.

Corrective action on both parts of this finding is complete.

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## APPENDIX A: PERSONNEL CONTACTED

<u>Name</u>	<u>Title</u>
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 and Extension Services
Faith Fontan	Coordinator, Deaf Support Services, Disabled Student Services
William Griffith	Vice President, Administration and Finance
Kathleen Hext	Director, Internal Auditing Services
Kathryn Holmes	Coordinator, Stephen Benson Learning Disability Program
Jean Houck	Dean, College of Education
Michael Kelley	Assistant Director, Physical Planning
Roman Kochan	Dean of Library Services
Steve Larson	Assistant Director, Facility Planning and Management, University Student Union
Robin Mack	Associate Vice President, Budget and Human Resources
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, LONG BEACH

DIVISION OF ADMINISTRATION AND FINANCE

RECEIVED  
UNIVERSITY AUDITOR

APR 24 2003

THE CALIFORNIA STATE  
UNIVERSITY

April 24, 2003

Mr. Larry Mandel  
University Auditor  
California State University  
401 Golden Shore, 4<sup>th</sup> Floor  
Long Beach, California 90802

Re: Response to Disability Support and Accommodations Report 02-43

Dear Larry:

Please find enclosed California State University, Long Beach's response to the above report. The campus is committed to addressing and resolving the issues identified in the audit report. We appreciate your staff's efforts on our behalf.

We are providing documentation under separate cover to evidence completion of all of the items that are designated as completed in our responses.

Please let me know if we can provide you with any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Griffith".

William H. Griffith  
Vice President for Administration and Finance

Enclosure

cc: Robert C. Maxson, President  
Douglas Robinson, Vice President for Student Services  
Alan Nishio, Associate Vice President for Student Services  
Kathleen Hext, Director, Internal Auditing Services

**CALIFORNIA STATE UNIVERSITY, LONG BEACH  
DISABILITY SUPPORT AND ACCOMMODATIONS  
AUDIT REPORT 02-43**

**CAMPUS RESPONSES**

**Recommendation 1**

We recommend that the campus:

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- b. Implement controls to ensure compliance with the campus web accessibility policy.

**Campus Response**

We concur with the recommendations.

- a. The campus finalized its web accessibility policy and issued it on December 9, 2002. A copy of the policy was provided to the auditors on March 14, 2003.
- b. The campus has implemented an aggressive plan to bring the official campus web sites into compliance in accordance with the approved policy. Controls have already been established to ensure progress is on track. Well under way are creation of a list of official web sites, development of a progress chart, "before and after" computerized web site accessibility tests as each site is updated, and quarterly progress reports to the Vice Presidents for Academic Affairs, Student Services, University Relations and Development, and Administration and Finance by the campus web master (director of new media communications), who is heading the project.

Corrective action on both parts of this finding is complete.

**Recommendation 2**

We recommend that the campus:

- a. Establish controls to ensure timely resolution of disabled student complaints.
- b. Correct the accessibility issue regarding the student union facility doors.

**Campus Response**

We concur with the recommendations.

- a. Written procedures incorporating controls to ensure timely resolution of disabled student complaints have been completed and implemented.
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### **Recommendation 3**

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- a. Implement controls to ensure adequate documentation of disabled student files.
- b. Implement controls to ensure protection of student disability information in automated computer systems, including periodic review of data security access assignments.

### **Campus Response**

We concur with the recommendations.

- a. Procedures to ensure adequate documentation of disabled student files have already been written and implemented. Missing items have been obtained and added to those files cited in the auditor's report.
- b. The campus is very sensitive to the importance of protecting the confidentiality of student disability information in its automated computer systems. Due to the composition of panels in the old student administration (legacy) OASIS system, student disability identification was included on the same panels that contained other information needed by a larger group of central office users. All campus personnel who currently have access to this data have received instructions on the importance of using the data only for legitimate work-related purposes. As each module of the new PeopleSoft Student Administration (SA) system comes on line, these people will no longer access the student records in the OASIS system.

The new PeopleSoft SA System is currently well into the implementation stage, with many of the student records already converted to it. In this new system the following controls have been implemented to restrict access to the student disability information to only those persons with a legitimate need to know:

- a) Need for access and job requirements will be documented on the System Security Authorization Form, which is reviewed and signed by both the employee's supervisor and the student administration security administrator;
- b) A fully completed Confidentiality/Security Agreement will accompany the System Security Authorization Form. No access to the system is given without the completion of a confidentiality/security agreement;
- c) The CSU baseline has developed special fields for disability types and programs in the enrollment reporting system (ERS). These fields are on an ERS sub-panel. Only personnel in the Disabled Student Services (DSS) Office and a few individuals from Enrollment Services and Institutional Research team will have access to this sub-panel for the reporting of the various disability categories/statistics to the Chancellor's Office;
- d) The DSS has also established a procedure to periodically request and review a report of security access assignments to the disabled student information once the system is fully implemented. This annual review will be documented and any necessary changes in access will be made.

Corrective action on both parts of this finding is complete.

THE CALIFORNIA STATE UNIVERSITY  
OFFICE OF THE CHANCELLOR



BAKERSFIELD

April 29, 2003

CHANNEL ISLANDS

CHICO

**MEMORANDUM**

DOMINGUEZ HILLS

FRESNO

TO: Mr. Larry Mandel  
University Auditor

FULLERTON

FROM: Charles B. Reed  
Chancellor

HAYWARD

HUMBOLDT

SUBJECT: Draft Final Report Number 02-43 on *Disability Support and Accommodations*, California State University, Long Beach

LONG BEACH

LOS ANGELES

MARITIME ACADEMY

In response to your memorandum of April 29, 2003, I accept the response as submitted with the draft final report on *Disability Support and Accommodations*, California State University, Long Beach.

MONTEREY BAY

NORTHRIDGE

POMONA

CBR/ac

SACRAMENTO

Enclosure

SAN BERNARDINO

cc: Dr. Robert C. Maxson, President  
Mr. William H. Griffith, Vice President for Administration and Finance

SAN DIEGO

SAN FRANCISCO

SAN JOSE

SAN LUIS OBISPO

SAN MARCOS

SONOMA

STANISLAUS