AMERICANS WITH DISABILITIES ACT COMPLIANCE

CALIFORNIA STATE UNIVERSITY,
SAN BERNARDINO

Audit Report 11-43
July 28, 2011

Members, Committee on Audit

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THE CALIFORNIA STATE UNIVERSITY
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ABBREVIATIONS

AA Academic Affairs
ADA Americans with Disabilities Act
AP Academic Personnel
ATI Accessible Technology Initiative
CAM Center for Accessible Media
CELEP College of Extended Learning, Extension Programs
CSU California State University
CAAB Campus Accessibility Advisory Board
CPDC Capital Planning, Design and Construction
CSUSB California State University San Bernardino
EO Executive Order
HR Human Resources
HRL Housing and Residential Life
IRT Information Resources and Technology
PS Parking Services
SMSU Santos Manuel Student Union
SSD Services to Students With Disabilities
EXECUTIVE SUMMARY

As a result of a systemwide risk assessment conducted by the Office of the University Auditor during the last quarter of 2010, the Board of Trustees, at its January 2011 meeting, directed that Americans with Disabilities Act (ADA) compliance be reviewed. The Office of the University Auditor had previously reviewed ADA activities as part of the 2002 audits of Disability Support and Accommodations at ten campuses.

We visited the California State University, San Bernardino campus from April 18, 2011, through May 13, 2011, and audited the procedures in effect at that time.

Our study and evaluation revealed certain conditions that, in our opinion, could result in significant errors and irregularities if not corrected. Specifically, the campus did not maintain adequate internal control over the following areas: complaint procedures, nondiscrimination refresher training, and accessible instructional materials. These conditions, along with other weaknesses, are described in the executive summary and body of this report. In our opinion, except for the effect of the weaknesses described above, the operational and administrative controls for ADA activities in effect as of May 13, 2011, taken as a whole, were sufficient to meet the objectives stated in the “Purpose” section of this report.

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

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

GENERAL ENVIRONMENT [8]

Administration of the Campus Accessibility Advisory Board (CAAB) needed improvement. For example, four of the sitting members did not have appointment letters from the president, and three student member positions designated in the CAAB membership roster were vacant. Additionally, the campus did not have a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

EMPLOYEE QUALIFICATIONS AND TRAINING [10]

Students with disabilities were not given the opportunity to participate in the services to students with disabilities support staff selection process. Additionally, documentation of ADA refresher training for faculty and staff did not always include coverage of, or references to, ADA nondiscrimination topics, and the campus had not developed a related training policy.
ACCESSIBLE TECHNOLOGY [12]

The campus had not developed policies to address the storage of accessible instructional materials on non-state servers.
INTRODUCTION

BACKGROUND

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

In March 1980, CSU developed a policy statement, the Policy for the Provision of Services to Students with Disabilities, 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. It also detailed program goals and objectives, definitions of disabilities, and support services to be offered. In 1980, the CSU Systemwide Advisory Committee on Services to Students with Disabilities was established. The Policy for the Provision of Services to Students with Disabilities was revised in 1989, in part to incorporate disability services identified in 1987’s Assembly Bill 746, State Funded Disabled Student Programs and Services.

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

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

In 2004, the CSU implemented Executive Order 926, Policy on Disability Support and Accommodations, to make information technology resources and services accessible to all CSU students, faculty, and staff, as well as the general public. Concurrently, the CSU developed the Center for Accessible Media to help expedite the delivery of electronic instructional texts to eligible CSU students with disabilities. In
January 2006, the CSU launched its Accessible Technology Initiative (ATI) in order to develop the work plan, guidance, and resources to assist campuses in carrying out the accessible technology provisions of its revised *Policy on Disability Support and Accommodations*. CSU ATI plans are continuously developing and were revised and extended through policy every year from 2007 to 2010 based on experiences reported by the campuses and the understanding that ATI requirements and milestones should be flexible, allowing campuses to follow different plans for accomplishing them. It is anticipated that ATI will continue to evolve as new needs are identified.

In September 2008, the ADA Amendments Act of 2008 was signed into law, and it became effective on January 1, 2009. The amendments clarified and reiterated who is covered by the law’s civil rights protections and revises the definition of “disability” to more broadly encompass impairments that substantially limit a major life activity. The amended language also states that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies, and supplies have no bearing in determining whether a disability qualifies under the law.
PURPOSE

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

Within the audit objective, specific goals included determining whether:

- Administration of ADA compliance incorporates a defined mission, stated goals and objectives, and clear lines of organizational authority and responsibility, as well as formation of an Advisory Committee on Services to Students with Disabilities, a standing committee on Disability Access and Compliance, and an ATI Steering Committee.

- Policies and procedures are current and comprehensive, and distribution procedures are effective.

- The adequacy of and satisfaction with the ADA program are consistently monitored and assessed.

- Campus notification and complaints processes ensure appropriate compliance with regulatory requirements, as well as timely and adequate resolution of noted disability-related issues.

- People 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 ADA, and student disability services comply with state law, as well as CSU and campus policies.

- Verification of disabilities is timely and adequately performed, and appropriate documentation is provided in compliance with CSU and campus policies.

- Disability information and records 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 people, and auxiliary aids and other equipment for people with disabilities are properly maintained and safeguarded.

- Campus disaster and evacuation plans include evacuation procedures for people with disabilities.

- 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 and accurate, valued properly, and processed in a timely manner, and credit is received.
The campus has developed and documented an ATI implementation plan, including ongoing updates and monitoring through self-assessments.

Equally effective alternative access to programs and facilities is developed, documented, and communicated.

Procedures to ensure compliance with the accessible electronic and information technology procurement program are adequate.

Campus training for ATI is adequate.
INTRODUCTION

SCOPE AND METHODOLOGY

The proposed scope of the audit as presented in Attachment A, Audit Agenda Item 2 of the January 25 and 26, 2011, meeting of the Committee on Audit stated that ADA compliance includes compliance with federal, state, and local rules and regulations that relate to the ADA of 1990 (Title 42). Of primary concern is appropriateness of systemwide guidance, management culture, facility specifications and accommodations, program access considerations, and compliance with reporting standards and requirements. Proposed audit scope would include review of Trustee policy, systemwide directives, and campus policies and procedures; examination of management compliance efforts; review of facility initial or modification design process; analysis of reported campus and systemwide statistics; and testing of reasonable accommodation efforts.

Our study and evaluation were conducted in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors, and included the audit tests we considered necessary in determining that accounting and administrative controls are in place and operative. This review emphasized, but was not limited to, compliance with state and federal laws, Board of Trustee policies, and Office of the Chancellor policies, letters, and directives. The audit focused on procedures in effect from July 1, 2008, through May 13, 2011.

A preliminary risk assessment of campus ADA compliance information was used to select for our audit testing those areas or activities with highest risk. This assessment was based upon a systematic process using management’s feedback and professional judgments on probable adverse conditions and other pertinent information, including prior audit history in this area. We sought to assign higher review priorities to activities with higher risks. As a result, not all risks identified were included within the scope of our review.

Based upon this assessment of risks, we specifically included within the scope of our review the following:

- Monitoring of the quality and effectiveness of campus ADA program services.
- Resolution of complaints and grievances relating to program and physical accessibility.
- Qualifications of services to students with disabilities staff and campuswide training practices.
- Provision of reasonable access and accommodations to applicants and employees.
- Verification of disabilities and providing (or declining) of services to students with disabilities.
- Maintenance and protection of disability information from unauthorized disclosure.
- Provision of programs, services, and activities that are readily accessible to disabled individuals.
- Administration of program and grant funds for ADA compliance.
- Processing and collection of chargebacks for ADA-related services provided to self-supporting operations.
- Recording, safeguarding, and maintenance of inventory for auxiliary aids and equipment.
- Ongoing updates and monitoring of the ATI implementation plan.
- Prioritization of ATI implementation tasks and plans.
- Development, documentation, and communication of equally effective alternative access.
- Adequacy of ATI training.
- Compliance with the accessible electronic and information technology procurement program.
GENERAL ENVIRONMENT

CAMPUS ACCESSIBILITY ADVISORY BOARD

Administration of the Campus Accessibility Advisory Board (CAAB) needed improvement.

We noted that:

- Four of the sitting members did not have appointment letters from the president.
- Three student member positions designated in the CAAB membership roster were vacant.
- CAAB reporting requirements had not been defined.
- Funding, responsibilities, and priorities for non-state-funded (auxiliary) Americans with Disabilities Act (ADA) projects had not been resolved, and there was no specific policy in this area.

Coded Memorandum Academic Affairs (AA) 2009-27, Policy for the Provision of Accommodations and Support to Students with Disabilities, dated December 17, 2009, states that members of the campus advisory committee shall be appointed by the campus president or designee.

California State University, San Bernardino (CSUSB) Campus Accessibility Advisory Board Charter, dated November 17, 2003, states that CSUSB is dedicated to ensuring that programs and facilities are accessible to all students, staff, faculty, and members of the community. To this end, the CAAB has been established to assist the university to identify and resolve barriers to individuals with disabilities.

Executive Order (EO) 926, The California State University Board of Trustees Policy on Disability Support and Accommodations, dated December 20, 2004, states that each campus shall establish an advisory committee on services to students with disabilities to assist in the evaluation of current campus policies and procedures relating to students with disabilities, develop plans relating to programs and services for students with disabilities, recommend priorities, review barrier removal priorities as specified in the State University Administrative Manual, and develop timelines as defined in each campus’ transition plan.

The vice president for administration and finance/chief financial officer stated that the lack of appointment letters for some of the sitting CAAB members was due to oversight; student members for CAAB had not yet been identified; CAAB reporting requirements had not been confirmed as necessary until recently; and funding, responsibilities, and priorities for auxiliary ADA projects had not been decided upon because there was no local or systemwide policy for auxiliary ADA projects.

Failure to maintain effective administration of the CAAB increases the risk that campus programs, services, and activities will not be fully accessible to all individuals.
Recommendation 1

We recommend that the campus:

a. Obtain appointment letters from the president for all sitting CAAB members.

b. Fill student member positions on the CAAB.

c. Define CAAB reporting requirements.

d. Resolve funding, responsibilities, and priorities for non-state-funded (auxiliary) ADA projects, and develop and document policies in this area.

Campus Response

The campus concurs with the recommendations.

a. The campus will obtain appointment letters from the president for all sitting CAAB committee members.

b. The campus will fill student member positions on the CAAB committee.

c. The CAAB committee is in the process of revising its charter to include reporting requirements.

d. Policies will be developed and documented to resolve funding, responsibilities, and priorities for non-state-funded ADA projects.

Completion date: December 16, 2011

POLICIES AND PROCEDURES

The campus did not have a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

EO 928, Systemwide Complaint Procedure for Discrimination, Harassment and Retaliation Complaints from Employees Not Eligible to File a Complaint or Grievance Under a Collective Bargaining Agreement or Whose Collective Bargaining Agreement Incorporates CSU Systemwide Complaint Procedure, dated January 6, 2005, states, in part, that there is no systemwide complaint procedure for applicants and independent contractors. Consequently, each campus shall provide for these by having in place a complaint procedure to handle allegations from applicants and independent contractors. Such a procedure shall designate several persons to whom an allegation can be brought.

The assistant vice president, human resources stated that although informal practices were in place to handle complaint allegations from applicants and independent contractors, the campus had not yet documented its practices.
Failure to have a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors increases the risk that complaints could be handled incorrectly and could lead to potential litigation.

Recommendation 2

We recommend that the campus develop and implement a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

Campus Response

The campus concurs with the recommendation. The campus will develop a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

Completion date: October 31, 2011

EMPLOYEE QUALIFICATIONS AND TRAINING

STAFF SELECTION PROCEDURES

Students with disabilities were not given the opportunity to participate in the services to students with disabilities (SSD) support staff selection process.

AA-2009-27 states that the campus director or designee for the program for services to students with disabilities shall be responsible for the recruitment of an adequate pool of qualified persons to serve as interpreters, real-time captioners, readers, note takers, and similar support service personnel. Students with disabilities needing assistance of such persons shall have an opportunity to be involved in the selection process to determine their appropriateness and to ensure that the person under consideration has an adequate skill level. Education Code §67306 provides that students may select readers who are not on a director’s list, if a written request is filed.

The SSD director stated that she was unaware of the policy requirement stating that students with disabilities should have the opportunity to participate in the selection process for SSD support staff.

Failure to involve students with disabilities in the SSD support staff selection process increases the risk that the most qualified candidates will not always be selected.

Recommendation 3

We recommend that the campus give students with disabilities the opportunity to participate in the SSD support staff selection process.
Campus Response

The campus concurs with the recommendation. The campus will give students with disabilities the opportunity to participate in the SSD support staff selection process for long-term temporary and permanent positions.

Completion date: January 28, 2012

Nondiscrimination Refresher Training

Documentation of ADA refresher training for faculty and staff did not always include coverage of, or references to, ADA nondiscrimination topics, and the campus had not developed a related training policy.

EO 883, Systemwide Guidelines for Nondiscrimination and Affirmative Action Programs in Employment, dated October 31, 2003, states that training should cover, but is not limited to, the types of discrimination (including sexual harassment and racial, ethnic, national origin, sex, and disability discrimination), the methods of reporting discrimination, and the respective responsibilities of management and staff in reporting, investigating, and resolving discrimination complaints. It is recommended that training be provided to all new employees shortly after their start dates and periodically thereafter. It is further recommended that information contained in the training be made accessible for reference by current employees annually.

The associate provost for academic personnel stated that although ongoing training was provided to faculty, academic personnel training documentation did not always contain the range of topics necessary for ADA compliance training. The assistant vice president, human resources stated that ADA-related refresher training was provided in various training avenues, but the new human resources training database did not yet contain all the types of training necessary for a broad range of ADA topics. He further stated that campus policy had not been written for ADA nondiscrimination refresher training because ADA nondiscrimination policy already existed in EO 883.

Failure to document periodic refresher training in ADA nondiscrimination topics and maintain campus policy for ADA nondiscrimination training increases the risk that employees will not be fully aware of ADA nondiscrimination procedures and requirements, thereby increasing the risk of litigation.

Recommendation 4

We recommend that the campus:

a. Document coverage of, or references to, ADA nondiscrimination topics in ADA refresher training for faculty and staff.

b. Develop and implement policies for periodic nondiscrimination refresher training for faculty and staff.
Campus Response

The campus concurs with the recommendations.

a. Campus training covering ADA nondiscrimination has been developed, and delivery to employees has begun. Implementation will continue during 2011/12.

b. Policies will be developed and implemented to ensure periodic nondiscrimination refresher training for faculty and staff.

Completion date: January 28, 2012

ACCESSIBLE TECHNOLOGY

The campus had not developed policies to address the storage of accessible instructional materials on non-state servers.

We found that there was no policy to guide how faculty used non-state servers to house accessible instructional materials and no assurance that the content (including syllabi, reading materials, test materials, and multimedia) on and access to those servers would be fully accessible.

AA-2010-13, Revision of Accessible Technology Initiative Coded Memo, dated June 14, 2010, states that the Accessible Technology Initiative will provide the resources, tools, training, and expertise for the CSU system to ensure that instructional materials and the technology that are used will be accessible to all. Information materials and technologies include, but are not limited to, computer and network access and services, computer-delivered or enhanced instruction, library electronic information resources, library online catalogs and homepages, campus informational web sites, computer-delivered or assisted administrative services, and voice and video programs and services.

EO 926, The California State University Board of Trustees Policy on Disability Support and Accommodations, dated December 20, 2004, states that it is the policy of the CSU to make information technology resources and services accessible to all CSU students, faculty, staff, and the general public regardless of disability.

The interim vice president of information resources and technology stated that a policy had not yet been developed to provide guidelines for validating that content on and access to non-state servers used for instructional materials were fully accessible because the issue was still being evaluated.

Failure to establish policies for the storage of accessible instructional materials on non-state servers increases the risk that those instructional materials will not be fully accessible.

Recommendation 5

We recommend that the campus develop and implement policies to address the storage of accessible instructional materials on non-state servers.
Campus Response

The campus concurs with the recommendation and will develop or update an existing policy to address the storage of accessible instructional materials on non-state servers.

Completion date: January 28, 2012
## APPENDIX A:
### PERSONNEL CONTACTED

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albert K. Karnig</td>
<td>President</td>
</tr>
<tr>
<td>Lovellie Almogela</td>
<td>Director, Housing and Residential Life (HRL)</td>
</tr>
<tr>
<td>Patrick Areffi</td>
<td>Executive Director, Associated Students, Inc.</td>
</tr>
<tr>
<td>Amid Azhand</td>
<td>Director, Capital Planning, Design and Construction (CPDC)</td>
</tr>
<tr>
<td>Jimmie Brown</td>
<td>Chief of Police, University Police</td>
</tr>
<tr>
<td>Aaron Burgess</td>
<td>Associate Director, Operations, Santos Manuel</td>
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<tr>
<td></td>
<td>Student Union (SMSU)</td>
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<tr>
<td>Cesar Caballero</td>
<td>Dean, Library Administration</td>
</tr>
<tr>
<td>Rowena Casis-Woidyla</td>
<td>Manager of Training and Development, Human Resources (HR)</td>
</tr>
<tr>
<td>Lucas Cuny</td>
<td>Career Development Coordinator, Workability Program</td>
</tr>
<tr>
<td>Mark Day</td>
<td>Executive Director, SMSU</td>
</tr>
<tr>
<td>Risa Dickson</td>
<td>Associate Provost for Academic Personnel (AP)</td>
</tr>
<tr>
<td>Kevin Doyle</td>
<td>Associate Director, Facilities Services</td>
</tr>
<tr>
<td>Twillea Evans-Carthen</td>
<td>Manager, HR Programs and Employment</td>
</tr>
<tr>
<td>Lorraine Frost</td>
<td>Interim Vice President, Information Resources and Technology (IRT)</td>
</tr>
<tr>
<td>Robert Gardner</td>
<td>Vice President, Administration and Finance/Chief Financial Officer</td>
</tr>
<tr>
<td>Rosalia Garza</td>
<td>Counselor, Services to Students With Disabilities (SSD)</td>
</tr>
<tr>
<td>Randy Hanlin</td>
<td>Associate Director, Housing Services, HRL</td>
</tr>
<tr>
<td>Kathy Hansen</td>
<td>Director, Procurement and Support Services, Procurement</td>
</tr>
<tr>
<td>Helga Kray</td>
<td>Associate Vice President, Student Affairs</td>
</tr>
<tr>
<td>Beth Jaworski</td>
<td>Director, SSD</td>
</tr>
<tr>
<td>Jim Monaghan</td>
<td>Assistant Vice President, Academic Technology and Distributed Learning</td>
</tr>
<tr>
<td>Ronald Profeta</td>
<td>Associate Director, Parking Services (PS)</td>
</tr>
<tr>
<td>Cheryl Pruitt</td>
<td>Director, Accessible Technology Initiative, Office of the Chancellor</td>
</tr>
<tr>
<td>Tony Simpson</td>
<td>Senior Director, Facilities Services</td>
</tr>
<tr>
<td>Melissa Spagnuolo</td>
<td>Confidential Administrative Support, Administration and Finance</td>
</tr>
<tr>
<td>Javier Torner</td>
<td>Interim Associate Vice President, IRT</td>
</tr>
<tr>
<td>Dennis Robertson</td>
<td>Assistant Director, College of Extended Learning, Extension Programs (CELEP)</td>
</tr>
<tr>
<td>Don Soderbloom</td>
<td>Disaster Preparedness Coordinator, University Police</td>
</tr>
<tr>
<td>James Stretch</td>
<td>Interim Director, CELEP</td>
</tr>
<tr>
<td>Rosalinda Torres</td>
<td>Administrative Analyst/Specialist, AP</td>
</tr>
<tr>
<td>B. Michael Wahl</td>
<td>Associate Director, CPDC</td>
</tr>
<tr>
<td>Dale West</td>
<td>Assistant Vice President, HR</td>
</tr>
<tr>
<td>Deloren West</td>
<td>Special Projects Coordinator, PS</td>
</tr>
<tr>
<td>Franschell Williams</td>
<td>Administrative Support Coordinator, CPDC</td>
</tr>
<tr>
<td>Jenny Zorn</td>
<td>Associate Provost, Academic Programs</td>
</tr>
</tbody>
</table>
MEMORANDUM

DATE: August 30, 2011

TO: Larry Mandel
   University Auditor
   The California State University

FROM: Bob Gardner, Vice President for Administration and Finance

SUBJECT: Campus Response to
   Americans with Disabilities Act Compliance Audit – Report No. 11-43
   California State University, San Bernardino

Enclosed is CSUSB’s campus response to the Americans with Disabilities Act Compliance Audit – Report No. 11-43.

Please contact me with any questions you may have. Thank you.

c: Albert Karnig, President

Enclosure
GENERAL ENVIRONMENT

CAMPUSS ACCESSIBILITY ADVISORY BOARD

Recommendation 1

We recommend that the campus:

a. Obtain appointment letters from the president for all sitting CAAB members.

b. Fill student member positions on the CAAB.

c. Define CAAB reporting requirements.

d. Resolve funding, responsibilities, and priorities for non-state-funded (auxiliary) ADA projects, and develop and document policies in this area.

Campus Response

a. The campus concurs with the recommendation and will obtain appointment letters from the president for all sitting CAAB committee members.

b. The campus concurs with the recommendation and will fill student member positions on the CAAB committee.

c. The campus concurs with the recommendation. The CAAB committee is in the process of revising its charter to include reporting requirements.

d. The campus concurs with the recommendation. Policies will be developed and documented to resolve funding, responsibilities, and priorities for non state-funded ADA projects.

Completion Date: December 16, 2011
POLICIES AND PROCEDURES

Recommendation 2

We recommend that the campus develop and implement a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

Campus Response

The campus concurs with the recommendation. The campus will develop a written complaint procedure for handling allegations of discrimination, harassment, and retaliation from applicants and independent contractors.

Completion Date: October 31, 2011

EMPLOYEE QUALIFICATIONS AND TRAINING

STAFF SELECTION PROCEDURES

Recommendation 3

We recommend that the campus give students with disabilities the opportunity to participate in the SSD support staff selection process.

Campus Response

The campus concurs with the recommendation. The campus will give students with disabilities the opportunity to participate in the SSD support staff selection process for long-term temporary and permanent positions.

Completion Date: January 28, 2012

NONDISCRIMINATION REFRESHER TRAINING

Recommendation 4

We recommend that the campus:

a. Document coverage of, or references to, ADA nondiscrimination topics in ADA refresher training for faculty and staff.

b. Develop and implement policies for periodic nondiscrimination refresher training for faculty and staff.
Campus Response

a. The campus concurs with the recommendation. Campus training covering ADA nondiscrimination has been developed and delivery to employees has begun. Implementation will continue during 2011 – 2012.

b. The campus concurs with the recommendation. Policies will be developed and implemented to ensure periodic nondiscrimination refresher training for faculty and staff

Completion Date: January 28, 2012

ACCESSIBLE TECHNOLOGY

Recommendation 5

We recommend that the campus develop and implement policies to address the storage of accessible instructional materials on non-state servers.

Campus Response

The campus concurs with the recommendation and will develop or update an existing policy to address the storage of accessible instructional materials on non-state servers.

Completion Date: January 28, 2012
September 20, 2011

MEMORANDUM

TO: Mr. Larry Mandel  
University Auditor

FROM: Charles B. Reed  
Chancellor

SUBJECT: Draft Final Report 11-43 on

_Americans with Disabilities Act Compliance_
California State University, San Bernardino

In response to your memorandum of September 20, 2011, I accept the response as submitted with the draft final report on _Americans with Disabilities Act Compliance_, California State University, San Bernardino.

CBR/amd