

MEMORANDUM

Date: August 27, 2019

To: Loren J. Blanchard
Executive Vice Chancellor and Chief Academic Officer

From: Larry Mandel 
Vice Chancellor and Chief Audit Officer

Subject: **Audit Report 19-90, Accessible Technology, Office of the Chancellor**

We have completed an audit of *Accessible Technology* as part of our 2019 Audit Plan, and the final report is attached for your reference. The audit was conducted in accordance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

I have reviewed the management response and have concluded that it appropriately addresses our recommendations. The management response has been incorporated into the final audit report, which has been posted to Audit and Advisory Services' website. We will follow-up on the implementation of corrective actions outlined in the response and determine whether additional action is required.

Any observations not included in this report were discussed with your staff at the informal exit conference and may be subject to follow-up.

I wish to express my appreciation for the cooperation extended by the chancellor's office personnel over the course of this review.

c: Timothy P. White, Chancellor
Steve Relyea, Executive Vice Chancellor and Chief Financial Officer



The California State University
Audit and Advisory Services

ACCESSIBLE TECHNOLOGY

**California State University,
Office of the Chancellor**

Audit Report 19-90
June 21, 2019

EXECUTIVE SUMMARY

OBJECTIVE

The objectives of the audit were to ascertain the effectiveness of operational and administrative controls related to the California State University (CSU) Accessible Technology Initiative (ATI) and to ensure compliance with relevant federal and state regulations; Trustee policy; Office of the Chancellor (CO) directives; and campus procedures. The CSU ATI provides guidelines for compliance with regulations related to the implementation and monitoring of this federal statute. Our audit focused on ATI governance, procurement, and web compliance procedures for the CO and on systemwide ATI governance.

CONCLUSION

Based upon the results of the work performed within the scope of the audit, except for the weaknesses described below, the operational and administrative controls for ATI as of April 5, 2019, taken as a whole, provided reasonable assurance that risks were being managed and objectives were met.

Although the CO is actively improving internal controls over the administration and governance of systemwide ATI, our review indicated that improvement is needed in some key areas at the CO. Specifically, we noted that the CO had not clearly identified a CO executive sponsor, nor had it formed a CO specific executive steering committee as required by CSU guidance. In addition, an ATI plan for monitoring and improving CO ATI compliance had not been completed.

Specific observations, recommendations, and management responses are detailed in the remainder of this report.

OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. OFFICE OF THE CHANCELLOR EXECUTIVE SPONSOR

OBSERVATION

An executive sponsor to oversee ATI compliance at the CO had not been formally appointed.

Executive Order (EO) 1111, *The California State University Board of Trustees Policy on Disability Support and Accommodations*, states that each campus president and the chancellor will appoint an executive sponsor to manage the ATI implementation at their institution. In addition, it states that the ATI executive sponsor shall be responsible for convening an ATI steering committee to ensure compliance with procedures in coded memoranda issued by the Academic and Student Affairs Division of the CO.

The absence of an executive sponsor increases the risk that the program will not be administered effectively.

RECOMMENDATION

We recommend that an executive sponsor to oversee ATI compliance at the CO be officially designated.

MANAGEMENT RESPONSE

We concur. The CO will provide evidence of official designation of an executive sponsor to oversee ATI.

This recommendation was implemented in July 2019.

2. OFFICE OF THE CHANCELLOR STEERING COMMITTEE

OBSERVATION

The CO did not have an ATI steering committee.

Coded memorandum Academic Affairs (AA) 2013-03, *Accessible Technology Initiative*, states that the ATI steering committee is responsible for overseeing ATI implementation. It further states that the campus executive sponsor should conduct regular ATI steering committee meetings no less than twice per year and ensure that the committee membership comprises all key stakeholder groups. The members should have appropriate experience and expertise to inform decision-making.

The absence of a dedicated ATI steering committee increases the risk that the program will not be administered effectively.

RECOMMENDATION

We recommend that the CO establish an ATI steering committee to oversee ATI implementation, including developing plans, setting priorities, developing timelines, and tracking or removing barriers to achieving program goals, and ensure that all required stakeholders are included on the ATI steering committee.

MANAGEMENT RESPONSE

We concur. The CO will provide evidence of the establishment of an ATI steering committee to oversee ATI implementation, including developing plans, setting priorities, developing timelines, and tracking or removing barriers to achieving program goals, and ensure that all required stakeholders are included on the ATI steering committee.

This recommendation was implemented in July 2019.

3. OFFICE OF THE CHANCELLOR ACCESSIBLE TECHNOLOGY PLAN

OBSERVATION

The CO had not completed an ATI plan, which is required for all campuses and the CO as stated in AA-2013-03, *Accessible Technology Initiative*, and its amendment, AA-2015-22.

AA-2013-03, *Accessible Technology Initiative*, states that the campus executive sponsor should engage in a periodic administrative review process with the ATI steering committee regarding challenges, milestones, resources, and documentation of ongoing progress. The executive sponsor working with the campus ATI steering committee reviews and updates the ATI campus plan to guide implementation. The plan indicates the specific success indicators on which the campus will focus its efforts across the three priority areas.

Lack of measurable milestones or target dates for achieving compliance increases the risk that the ATI plan may not achieve some objectives for years, and accordingly, that goals and objectives may not be reached in a timely manner.

RECOMMENDATION

We recommend that the CO complete the self-assessment related to current accessible technology services, policies, and practices and create an ATI plan to outline the steps needed for annual improvement of the CO accessible technology compliance program.

MANAGEMENT RESPONSE

We concur. The CO will complete the self-assessment related to current accessible technology services, policies, and practices and create an ATI plan to outline the steps needed for annual improvement of the CO accessible technology compliance program.

This recommendation will be implemented by January 2020.

4. OFFICE OF THE CHANCELLOR AMERICANS WITH DISABILITIES ACT COORDINATOR

OBSERVATION

The CO had not designated an employee to coordinate compliance with the Americans with Disabilities Act (ADA) and with EO 11111, and the contact information for this employee was not prominently posted on CO websites.

The ADA coordinator is responsible for ensuring ADA compliance, including oversight of accommodation requests as they relate to ATI.

The ADA calls for every public entity that employs 50 or more persons to designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the ADA (Regulation §35.107). The state entity must make the name, office address, and telephone number of the ADA coordinator readily available to all interested individuals.

The dissemination of information about how to locate the ADA coordinator helps to ensure that people dealing with large agencies/departments are easily able to find a responsible person who is familiar with the requirements of the ADA and who can communicate those requirements to others in the agency/department.

RECOMMENDATION

We recommend that the CO designate an ADA coordinator and make the contact information for this individual publically available.

MANAGEMENT RESPONSE

We concur. The CO will designate an ADA coordinator and make the contact information for this individual publicly available.

This recommendation will be implemented by January 2020.

5. OFFICE OF THE CHANCELLOR WEBSITE POLICIES AND PROCEDURES

OBSERVATION

The CO had not developed formal policies and processes for reviewing the accessibility of websites, uploaded documents, and web applications.

AA-2013-03, *Accessible Technology Initiative*, states as a goal that campuses and the CO are required to identify and repair or replace inaccessible websites, web applications, and digital content.

Inadequate web accessibility policies increase the risk that the campus ATI plan will not be followed and campus goals and objectives will not be reached.

RECOMMENDATION

We recommend that the CO develop processes for reviewing the accessibility of websites, uploaded documents, and web applications.

MANAGEMENT RESPONSE

We concur. The CO will develop processes for reviewing the accessibility of websites, uploaded documents, and web applications.

This recommendation will be implemented by November 2019.

6. OFFICE OF THE CHANCELLOR ACCESSIBILITY GUIDELINES

OBSERVATION

CO personnel with responsibilities for uploading documents and updating websites were not made aware of the location of accessibility resources and guidance.

Failure to follow accessibility guidelines increases the risk that the campus ATI plan will not be followed and campus goals and objectives will not be reached.

RECOMMENDATION

We recommend that the CO communicate to employees where to find accessibility resources and guidelines.

MANAGEMENT RESPONSE

We concur. The CO will communicate to employees where to find accessibility resources and guidelines.

This recommendation will be implemented by January 2020.

7. OFFICE OF THE CHANCELLOR EMPLOYEE TRAINING

OBSERVATION

Departmental personnel at the CO who uploaded web documents were not trained to ensure that documents they uploaded complied with ATI requirements.

We noted that a significant number of attachments on the CSU website did not pass an ATI check.

AA-2013-03, *Accessible Technology Initiative*, states a goal that the campus community and the CO will be aware of Section 508 guidelines to make web-based information available to everyone, regardless of disability. In addition, it states a goal of ensuring that all parties

involved in electronic and information technology procurement will be trained, and a continual training program will be in place. Further, the coded memorandum states a goal that the campus will implement a broad-based ATI awareness campaign supported by a comprehensive training infrastructure to increase technological accessibility across the campus.

Insufficient staff and procurement participation in accessibility training increases the risk that the CO may not achieve all ATI program goals and objectives.

RECOMMENDATION

We recommend that the CO provide accessibility training to all individuals who upload documents to the websites.

MANAGEMENT RESPONSE

We concur. The CO will provide accessibility training to all individuals who upload documents to the websites.

This recommendation will be implemented by January 2020.

GENERAL INFORMATION

BACKGROUND

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 EO 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 the ATI to develop the work plan, guidance, and resources to assist campuses in carrying out the accessible technology (AT) provisions of its revised *Policy on Disability Support and Accommodations*. CSU ATI plans are continuously developing and were revised and extended through policy every year from 2007 to 2014 based on experiences reported by the campuses and the understanding that ATI requirements and milestones should be flexible, allowing campuses to follow different plans for accomplishing them. It is anticipated that the ATI will continue to evolve as new needs are identified.

In January 2013, the CSU issued AA-2013-03, *Accessible Technology Initiative*, to provide campuses with guidance for implementing AT. The memorandum establishes responsibilities and outlines overall governance, specified project planning, and established implementation timelines.

In December 2015, the CSU amended AA-2013-03 by issuing AA-2015-22, to enhance the guidance by outlining specific systemwide activities and responsibilities of the CO ATI department and enhancing the reporting requirements to include annual reporting to both the CO ATI department and the campus president.

In May 2018, the CSU issued EO 1111, which supersedes EO 926.

At the CO, the Academic and Student Affairs Division, in consultation with the Office of General Counsel and campus stakeholder groups, issues and updates ATI compliance procedures in the form of coded memoranda. At each campus, oversight and responsibility for ATI implementation is delegated to the ATI executive sponsor steering committee (ESSC).

The ESSC includes members from the key stakeholder groups across the institution, such as executive administrators, academic and faculty senates, centers for faculty development, the Academic Technology Office, the Disability Services Office, equity and diversity, and ADA compliance. The ESSC reviews and revises the campus ATI plan annually and submits an ATI report to the CO, which includes progress projects and activities to meet ATI goals. Each location submits the ATI report to either their campus president or chancellor in the case of the CO. The systemwide ATI office submits an aggregate report to the executive vice chancellor for academic and student affairs.

SCOPE

We visited the CO from March 11, 2019, through April 5, 2019. Our audit and evaluation included the audit tests we considered necessary in determining whether operational and administrative controls are in place and operative. The audit focused on procedures in effect from January 1, 2018, through April 5, 2019.

The CO is responsible for both systemwide guidance and oversight and for compliance with the ATI program in place at the CO office building.

For the CO building facility, we reviewed and tested:

- Monitoring of the quality and effectiveness of the CO ATI program services.
- Provision of reasonable technology access to applicants and employees.
- Ongoing updates and monitoring of the CO ATI implementation plan.
- Prioritization of CO ATI implementation tasks and plans.
- Adequacy of CO ATI training.
- Compliance with the accessible electronic and information technology procurement program.

For CO guidance and oversight, we reviewed and tested:

- Systemwide support for campus ATI planning and implementation efforts by developing guidance, providing training resources, sharing significant accomplishments and exemplary practices, and researching promising tools and techniques.
- Coordinating systemwide ATI activities that reduce costs, leverage CSU resources, and increase capacity.
- Collaboration with campus leadership through the ATI Leadership Council and Executive Sponsors Steering Committee to implement systemwide accessible technology policy, projects, and planning.
- Maintaining effective ongoing communication with key stakeholder groups and consulting with systemwide affinity groups.
- Coordinating the annual report process, including analyzing ATI annual reports and distributing systemwide aggregated report results.

- Providing systemwide support to drive improvements to product accessibility support by vendors and publishers.

The Americans with Disabilities Act is broad in its scope. In this review, we focused on compliance with Section 508, which the CSU refers to ATI. The scope included both student and employee accessibility. Specific areas reviewed included overall governance and responsibility for implementing the initiative, as well as the three key components of ATI: website accessibility, procurement, and instructional materials. Our review included compliance with Trustee policy, federal and state directives, and campus policies and procedures; technological compliance; procedures for handling complaints; communication; and employee training.

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.

Our testing and methodology, which was designed to provide a review of key operational and administrative controls, included interviews, walkthroughs, and detailed testing on certain aspects of the ATI program. The review was limited to gaining reasonable assurance that essential elements of the program were in place and did not examine all aspects of the program.

CRITERIA

Our audit was based upon standards as set forth in federal and state regulations and guidance; Trustee policy; Office of the Chancellor directives; and campus procedures; as well as sound administrative practices and consideration of the potential impact of significant risks. This audit was conducted in conformance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

This review emphasized, but was not limited to, compliance with:

- EO 1111, *The California State University Board of Trustees Policy on Disability Support and Accommodations*
- AA-2013-03, *Accessible Technology Initiative*
- AA-2015-22, *Accessible Technology Initiative: Amendment to AA-2013-03*

AUDIT TEAM

IT Audit Manager: Greg Dove
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