

Audit and Advisory Services
401 Golden Shore
Long Beach, CA 90802-4210

June 15, 2023

Dr. Vanya Quiñones, President
California State University, Monterey Bay
100 Campus Center, Administration Building
Seaside, CA 93955

Dear Dr. Quiñones:

Subject: Audit Report 22-68, Accessible Technology, California State University, Monterey Bay

We have completed an audit of *Accessible Technology* as part of our 2022-2023 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 will be 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 campus personnel over the course of this review.

Sincerely,



Vlad Marinescu
Vice Chancellor and Chief Audit Officer

c: Jolene Koester, Interim Chancellor
Yammilette Rodriguez, Chair, Committee on Audit
Jean Picker Firstenberg, Vice Chair, Committee on Audit

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ACCESSIBLE TECHNOLOGY

**California State University,
Monterey Bay**

Audit Report 22-68
June 15, 2023

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.

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 February 20, 2023, taken as a whole, provided reasonable assurance that risks were being managed and objectives were met.

Overall, California State University, Monterey Bay (CSU Monterey Bay) had established a governance and organizational structure to ensure that departments complied with CSU ATI policies and procedures. The ATI executive sponsor and steering committee provided oversight of the instructional materials, procurement, and website accessibility focus-area teams to implement their ATI practices across campus. However, our audit procedures identified areas for improvement, such as developing an annual ATI plan, developing ATI policies and procedures, performing accessibility testing on critical administrative websites and timely addressing issues identified, ensuring auxiliaries are compliant with CSU accessibility requirements during the electronic and information technology purchase process, and monitoring the learning management system, including the review of metrics or trends.

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

OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. CAMPUS ATI PLAN

OBSERVATION

The campus had not updated the annual campus ATI plan, as required by coded memorandum Academic Affairs (AA) 2013-03, *Accessible Technology Initiative*, and amendment, AA-2015-22 since 2019.

Specifically, we found that the ATI plan had not been updated to reflect the annual campus ATI priorities.

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, recourse, 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.

A current ATI plan provides measurable milestones or target dates for achieving compliance, which helps ensure that goals and objectives are timely reached.

RECOMMENDATION

We recommend that the campus update its ATI plan to reflect the annual campus ATI priorities.

MANAGEMENT RESPONSE

The campus concurs. The campus will update its ATI campus plan to reflect its annual priorities. The campus will complete this work by November 16, 2023.

2. ATI POLICIES AND PROCEDURES

OBSERVATION

The campus had not developed and published ATI policies and procedures, as required by c AA-2013-03, *Accessible Technology Initiative*, and its amendment, AA-2015-22.

The campus had a draft digital accessibility policy and a draft standard for developing accessible instructional materials, but these drafts had not been finalized or published for the campus community.

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, recourse, 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.

Finalized implemented policies and procedures strengthen the effectiveness of ATI governance.

RECOMMENDATION

We recommend that the campus finalize and publish its current draft policy and standard and develop and publish further ATI documentation, such as policies, standards, or procedures.

MANAGEMENT RESPONSE

The campus concurs. The draft policy has been submitted to campus policy facilitation for final review and approval. Additional documentation is under final review. The campus will complete this work by November 16, 2023.

3. WEBSITE COMPLIANCE MONITORING

OBSERVATION

The campus had not performed accessibility testing for all critical administrative websites maintained by the campus, and consequently the campus was not identifying and timely remediating accessibility issues.

The campus used software to scan the csumb.edu website and identify accessibility issues. However, we found the campus had not made significant progress in addressing identified accessibility issues from testing performed in December 2022.

Monitoring accessibility and appropriate remediation of accessibility issues for critical administrative websites maintained by the campus helps ensure that websites continue to be accessible.

RECOMMENDATION

We recommend that the campus identify critical administrative websites to perform accessibility testing on, routinely scan the websites, and address accessibility issues identified in a timely manner.

MANAGEMENT RESPONSE

The campus concurs. A process for identifying critical administrative websites and testing procedures will be developed. The campus will complete this work by November 16, 2023.

4. SOFTWARE PROCUREMENT CONTRACT REQUIREMENTS — AUXILIARIES

OBSERVATION

The campus did not have assurance that auxiliaries were ensuring compliance with CSU accessibility requirements during the electronic and information technology (E&IT) procurement process.

We found that auxiliaries did not have a process to ensure that IT products were evaluated for accessibility. In addition, we noted that auxiliaries did not have a process to ensure that IT contracts contained appropriate language to address accessibility.

Requiring all auxiliaries on campus to use a procurement process that considers accessibility requirements helps the campus ensure that E&IT purchases are accessible.

RECOMMENDATION

We recommend that the campus ensure that auxiliaries, evaluate product accessibility during the E&IT procurement and ensure that IT contracts contain appropriate language to address accessibility.

MANAGEMENT RESPONSE

The campus concurs. Campus E&IT procurement processes will be adopted by all campus auxiliaries. The campus will complete this work by November 16, 2023.

5. INSTRUCTIONAL MATERIAL DOCUMENT ACCESSIBILITY

OBSERVATION

The campus had implemented software to help determine whether instructional materials in the LMS were accessible; however, it had not developed monitoring procedures to ensure that document accessibility was improving.

Implementing processes to evaluate whether documents are accessible before they are uploaded into the LMS and monitoring ongoing compliance helps to ensure that the campus is consistently providing instructional materials that are compliant with accessibility standards.

RECOMMENDATION

We recommend that the campus implement ongoing monitoring procedures to help ensure that documents in the LMS remain accessible.

MANAGEMENT RESPONSE

The campus concurs. The campus will adopt procedures to monitor and ensure instructional materials will remain accessible. The campus will complete this work by November 16, 2023.

6. STEERING COMMITTEE MEMBERSHIP

OBSERVATION

The ATI steering committee did not include any members representing the campus academic or faculty senate.

Including a representative from the campus academic or faculty senate on the steering committee helps ensure that considerations for faculty are provided and evaluated during ATI decision-making.

RECOMMENDATION

We recommend that the campus ATI steering committee include representation from all required stakeholders.

MANAGEMENT RESPONSE

The campus concurs. Membership of the ATI steering committee will be modified, and additional new members will be identified. The campus will complete this work by November 16, 2023.

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

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

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 Executive Order 1111, which supersedes the original ADA EO 926.

At CSU Monterey Bay, the responsibility for establishing and maintaining an effective ATI program resides with the executive sponsor of the steering committee. The steering committee consists of members from key stakeholder groups across the campus, including the chief information officer, the Center for Academic Technology, and Student Disability

Resources. Steering committee responsibilities include compiling and submitting an annual report to the CO on the status indicator levels for CSU Monterey Bay's ATI objectives. Aside from the noted observations, the campus appropriately provides E&IT purchasing training to employees involved in the procurement process and accessible instructional materials development training to faculty.

SCOPE

This audit was conducted remotely and on-site from January 9, 2023, through February 20, 2023. We visited the CSU Monterey Bay campus from January 23, 2023, through January 26, 2023. 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, 2021, through February 20, 2023.

Specifically, we reviewed and tested:

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

The Americans with Disabilities Act is broad in its scope, but we focused on compliance with Section 508, which the CSU refers to as accessible technology. The scope included both student and employee accessibility. Specific areas reviewed included overall governance and responsibility for implementing the initiative, as well as review of the three key components of ATI; web site accessibility, procurement, and instructional materials. Our review included compliance with trustee policy; federal and state directives; campus policies and procedures; technological compliance; procedures for handling complaints; and 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 was designed to provide a review of key operational and administrative controls, included interviews, walkthroughs, and detailed testing on certain aspects of the accessible technology 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-2015-22, *Accessible Technology Initiative: Amendment to AA-2013-03*
- AA-2013-03, *Accessible Technology Initiative*

AUDIT TEAM

IT Audit Manager: Dave White
Senior IT Auditor: Danielle Perry