

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

October 26, 2023

Dr. Ellen J. Neufeldt, President
California State University San Marcos
333 S. Twin Oaks Valley Road
San Marcos, CA 92096

Dear Dr. Neufeldt:

Subject: Audit Report 22-69, Accessible Technology, California State University San Marcos

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: Mildred García, Chancellor
Yammilette Rodriguez, Chair, Committee on Audit
Jean Picker Firstenberg, Vice Chair, Committee on Audit

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ACCESSIBLE TECHNOLOGY

**California State University
San Marcos**

Audit Report 22-69
October 26, 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 August 11, 2023, taken as a whole, provided reasonable assurance that risks were being managed and objectives were met.

Overall, California State University San Marcos (CSU San Marcos) had established a governance and organizational structure to ensure that departments complied with CSU ATI policies and procedures. ATI committee and executive sponsor oversight was postponed during the COVID-19 pandemic and during the campus search for a new chief information officer (CIO). In January 2023, the new CIO was hired and the steering committee was reactivated to provide ATI oversight of instructional materials, procurement, and website accessibility.

Our audit procedures identified some areas for improvement, such as the use of obsolete compliance testing software, lack of comprehensive procedures for performing accessibility testing on critical administrative websites, and lack of monitoring of the learning management system to ensure that all documents were remediated.

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

OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. END-OF-LIFE SCANNING SOFTWARE

OBSERVATION

The accessibility software used by the campus for compliance testing, Compliance Sherrif, was no longer supported by the vendor.

Supported software provides necessary updates to ensure that campus websites are being fully tested and tests are kept current as technologies used to host the website and the website content change.

RECOMMENDATION

We recommend that the campus acquire current website testing software and implement procedures to ensure that campus websites and documents are accessible.

MANAGEMENT RESPONSE

We concur. The campus will acquire current website testing software and implement procedures to ensure that campus websites and documents are accessible.

Implementation Date: Because this implementation process will likely entail a complex procurement process, the campus anticipates needing a two-month extension for full implementation and onboarding.

The campus will implement this recommendation by June 4, 2024.

2. WEBSITE COMPLIANCE MONITORING

OBSERVATION

The campus practice for identifying websites hosted outside of the content management system required improvement.

The current campus policy and guidance did not require faculty to use the campus content management system to host websites, which would ensure that the websites could be monitored for accessibility compliance.

The campus has a process to survey the faculty annually to determine whether there are websites in use, but this process may not identify all websites. In addition, the survey is a detective measure that could allow such sites to exist for up to a year before they are monitored.

Monitoring accessibility of websites used by faculty and providing appropriate remediation of accessibility issues with these websites helps to ensure compliance with accessibility standards.

RECOMMENDATION

We recommend that the campus clarify accessibility guidance for all websites used for student instruction and consider restricting the use of websites that are not directly supported by the campus content management system.

MANAGEMENT RESPONSE

We concur. The campus will clarify accessibility guidance for all websites used for student instruction and consider restricting publication of content to university-approved content management systems.

Implementation date: April 4, 2024

3. DOCUMENT COMPLIANCE MONITORING

OBSERVATION

The campus did not have a process to routinely scan documents published on the campus website for accessibility compliance.

The campus uses scanning software to determine whether a website and its textual content are compliant; however, the process does not include scanning any attached documents in formats such as Microsoft Word, Microsoft Excel, and PDF. In addition, we noted that the campus did not have a formalized process to scan documents before uploading them to the campus website.

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

RECOMMENDATION

We recommend that the campus:

- a. Routinely scan all documents on the website for accessibility compliance.
- b. Implement a process to help educate website content creators on how to make documents accessible before they are uploaded.

MANAGEMENT RESPONSE

We concur. The campus will:

- a. Routinely scan all documents on the website for accessibility compliance.
- b. Implement a process to help educate website content creators on how to make documents accessible before they are uploaded.

Implementation date: April 4, 2024

4. EXTERNAL WEBSITES

OBSERVATION

The campus guidance for website content developers was not sufficient to ensure that sites were linked to the campus environment were approved, and the linking process did not indicate to the user that they were leaving the campus website.

Campus guidance should specify which types of external websites are acceptable, and procedures should be in place to notify users that they are leaving the campus website.

Notification and disclaimer notices shown to users when they are leaving the campus website help ensure that users understand that the views and opinions expressed on unofficial pages are strictly those of the page authors and that the content of these pages has not been reviewed or approved the campus.

RECOMMENDATION

We recommend that the campus:

- a. Provide guidance clarifying which external sites can be linked to from the campus network.
- b. Implement a process to notify users that they are exiting the campus website.

MANAGEMENT RESPONSE

We concur. The campus will:

- a. Provide guidance clarifying which external sites can be linked to from the campus network.
- b. Implement a process to notify users that they are exiting the campus website.

Implementation date: April 4, 2024

5. INSTRUCTIONAL MATERIAL ACCESSIBILITY

OBSERVATION

The campus used the software product Ally to identify materials that were not compliant, and those reports were made available to the faculty; however, the campus did not require all LMS instructional materials to be made compliant, and the administration was not made aware of compliance efforts.

Specifically, we found that the campus used Ally to scan all documents and images stored in the Learning Management System (LMS) but only remediated the courses in which students with accessibility needs were enrolled.

Also, the campus faculty appeared to be using the LMS as a cloud storage device to retain many documents and images that were not currently being used in class. Accordingly, extra work was being performed by instructional and information technology services (IITS) to remediate the stored materials for those classes, because they must address all materials available, regardless of whether the materials are being used.

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

RECOMMENDATION

We recommend that the campus:

- a. Implement procedures to ensure that all instructional materials are compliant.
- b. Provide periodic reports to the administration regarding monitoring of faculty efforts to maintain compliance.
- c. Consider instructing faculty to store materials that are not used for current classroom curriculum in an alternative location.

MANAGEMENT RESPONSE

We concur. The campus will:

- a. Implement procedures to ensure that all instructional materials are compliant.
- b. Provide periodic reports to the administration regarding monitoring of faculty efforts to maintain compliance.
- c. Consider instructing faculty to store materials that are not used for current classroom curriculum in an alternative location.

Implementation date: Because of anticipated administrative complexity with developing, approving, and implementing written procedures related to ensuring all instructional

materials are compliant, and, given the need to further include campus administration and faculty, the campus anticipates needing a two-month extension for full recommendation implementation.

The campus will implement this recommendation by June 4, 2024.

6. EMPLOYEE ACCESSIBILITY TRAINING

OBSERVATION

The campus did not consistently train web content providers to create documents that met Section 508 accessibility standards before publishing them to the web.

Comprehensive accessibility training for document creators helps to ensure that website content is accessible upon publication to the website.

RECOMMENDATION

We recommend that the campus provide document accessibility training to all employees who create documents and publish them to the campus website.

MANAGEMENT RESPONSE

We concur. The campus will provide document accessibility training to all employees who create documents and publish them to the campus website.

Implementation date: The process to develop, document, and implement document accessibility training to all employees who create documents and publish them to the campus website into existing campus functions will likely require a two-month extension for full implementation and onboarding.

The campus will implement this recommendation by June 4, 2024.

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 San Marcos, the responsibility for establishing and maintaining an effective ATI program resides with the executive sponsor of the steering committee. The steering committee consists of the chief information officer and members from key stakeholder groups across the campus, including 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 ATI objectives at CSU San Marcos. 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

We visited the CSU San Marcos campus from June 12, 2023, through August 11, 2023. Our audit initially began on April 13, 2023, but was postponed at the request of the campus due to unforeseen circumstances. 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 July 1, 2022, through June 30, 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
IT Audit Consultant: Greg Dove