

# State University of New York

---

## Oversight of Disability Services

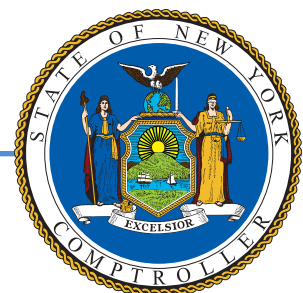
Report 2021-S-42 | August 2023

OFFICE OF THE NEW YORK STATE COMPTROLLER

Thomas P. DiNapoli, State Comptroller

---

Division of State Government Accountability



# Audit Highlights

---

## Objective

To determine whether the State University of New York has adequately provided access to campuses, programs, and services to students with disabilities. The audit covered the period from July 2018 through June 2021 and our observations of accessibility through October 2022.

## About the Program

The State University of New York (SUNY) is the largest comprehensive system of public education in the nation, comprising 64 institutions (14 of which are University Centers and Doctoral Degree Granting Institutions), including research universities, academic medical centers, liberal arts colleges, community colleges, colleges of technology, and an online learning network. In the fall 2021 semester, SUNY served nearly 370,000 students. During the 2020-21 academic year, 31,367 students self-reported a disability at the campuses.

Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability by State and local governments. Similarly, section 504 of the Rehabilitation Act of 1973 prohibits disability discrimination by recipients of federal funds. Generally, under the ADA's implementing regulations, a public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. The 2010 ADA Standards for Accessible Design (ADA Standards) set minimum scoping and technical requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. For any new construction or alteration that began on or after March 15, 2012, the project must comply with the ADA Standards. Although the ADA Standards apply to new construction and alteration projects that began on or after March 15, 2012, they may also be used as a guide to determine when and how to enhance accessibility within existing structures built before 2012.

SUNY's System Administration (SUNY Administration) provides support to the Campus Coordinators of Disability Services (Coordinators) on all campuses. The Coordinators meet with students who experience disability-related barriers with regard to any aspect of college life (e.g., physical environment, housing, parking, communication, dietary needs, academic requirements). Students with disabilities meet with their Coordinator to identify needs, provide appropriate disability documentation, and arrange for reasonable accommodations. Accommodations may include but are not limited to test-taking modifications, note-taking assistance, print materials in an alternative format, auxiliary aids, assistive technologies, and auxiliary services.

Each fiscal year, SUNY Administration develops a Master Capital Plan. The objective of this plan is to protect, maintain, preserve, and modify its physical plant to comply with health and safety codes. The Master Capital Plan sets forth the projects proposed to be constructed, reconstructed, rehabilitated, or otherwise substantially altered during the succeeding 5-year period. Additionally, campuses have their own Facility Master Plan that evaluates existing space inventories, usage, and conditions to accommodate need. Both the Master Capital Plan and the campuses' Facility Master Plans incorporate projects to address accessibility.

The State Education Department's (SED) Higher Education Data System (HEDS) collects and distributes information annually on the status of higher education in New York State. As per the HEDS Instruction Manual, campuses must report all students (undergraduate and graduate) who self-identified as a student with one or more disabilities and are enrolled in at least one credit-carrying course.

---

## Key Findings

- For the six campuses we reviewed (Binghamton University, Maritime College, Stony Brook University, SUNY Morrisville, SUNY Cobleskill, and SUNY Oneonta), we found they provided academic accommodations to students with disabilities. Additionally, we determined the campuses provided outreach and training to students and staff about their services and received no complaints regarding discrimination based on a student's disability. However, we found that SUNY Morrisville failed to adequately document that 13 students did not complete the disability self-reporting process. We also found inconsistencies in how and when campuses reported students with disabilities within HEDS. For example, we found five campuses reported the disability in their system once the student self-identified as having a disability, as required, whereas Binghamton University did not report the student with a disability until the accommodation plan was created.
- For the building structures we reviewed, we found the six campuses were ADA-compliant. However, we identified 170 areas where accessibility could be improved should SUNY seek to exceed the ADA's minimum requirements. Many of the improvement areas we identified are related to the height of certain amenities or fixtures such as bathroom sinks, mirrors, paper towel and soap dispensers, and toilet seats. We used the ADA Standards to assess the accessibility of sampled buildings, transportation structures (e.g., bus station shelters), and parking lots built before 2012. Although the ADA Standards apply to new construction and alteration projects, they may also be used as a guide to identify and address potential accessibility improvement areas with existing structures.

## Key Recommendations

### To SUNY Administration:

- Continue to work with SED to provide training and education to campuses to accurately and consistently report data on students with disabilities.

### To Campuses:

- Maintain sufficient documentation for students with disabilities who don't follow through with the process to obtain accommodations.
- Accurately and consistently report students with disabilities in accordance with SED requirements.
- Continue to actively evaluate and improve accessibility and incorporate the potential improvement areas identified where feasible.



---

## Office of the New York State Comptroller Division of State Government Accountability

August 9, 2023

John B. King, Jr.  
Chancellor  
State University of New York  
SUNY System Administration  
State University Plaza  
353 Broadway  
Albany, NY 12246

Dear Chancellor King:

The Office of the State Comptroller is committed to helping State agencies, public authorities, and local government agencies manage their resources efficiently and effectively. By so doing, it provides accountability for the tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities, and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit entitled *Oversight of Disability Services*. This audit was performed pursuant to the State Comptroller's authority under Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

*Division of State Government Accountability*

# Contents

---

- Glossary of Terms** ..... **5**
- Background**..... **6**
- Audit Findings and Recommendations** ..... **9**
  - Disability Services and Accessibility..... **9**
  - Recommendations..... **12**
- Audit Scope, Objective, and Methodology** ..... **13**
- Statutory Requirements** ..... **14**
  - Authority..... **14**
  - Reporting Requirements..... **14**
- Exhibit**..... **15**
- Agency Comments**..... **16**
- Contributors to Report**..... **18**

# Glossary of Terms

---

<b>Term</b>	<b>Description</b>	<b>Identifier</b>
SUNY	State University of New York	<i>Auditee</i>
ADA	Americans with Disabilities Act of 1990	<i>Act</i>
ADA Standards	2010 ADA Standards for Accessible Design	<i>Key Term</i>
Coordinators	Campus Coordinators of Disability Services	<i>Key Term</i>
HEDS	Higher Education Data System	<i>System</i>
SED	State Education Department	<i>Agency</i>
SUNY Administration	State University of New York System Administration	<i>Office</i>

# Background

---

The State University of New York (SUNY) is the largest comprehensive system of public higher education in the nation, comprising 64 institutions (14 of which are University Centers and Doctoral Degree Granting Institutions), including research universities, academic medical centers, liberal arts colleges, community colleges, colleges of technology, and an online learning network. SUNY's mission is to provide educational services of the highest quality, with the broadest possible access, fully representative of all segments of the population in a complete range of academic, professional, and vocational postsecondary programs, including such additional activities in pursuit of these objectives as are necessary or customary. For fiscal year 2021-22, SUNY had an overall budget of \$10.2 billion. SUNY's System Administration (SUNY Administration), the governance arm of SUNY, provides general oversight of operations and facilitates campuses' compliance with rules and regulations through university-wide policies and procedures. During the fall 2021 semester, SUNY served nearly 370,000 students. For the 2020-21 academic year, 31,367 students self-reported a disability at the campuses.

Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination on the basis of disability by State and local governments. Similarly, section 504 of the Rehabilitation Act of 1973 prohibits disability discrimination by recipients of federal funds. Generally, under the ADA's implementing regulations, a public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible. Although a public entity is not required to make each of its existing facilities accessible, it must operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities.

The 2010 ADA Standards for Accessible Design (ADA Standards) set minimum scoping and technical requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities. For any new construction or alteration that began on or after March 15, 2012, the project must comply with the ADA Standards. An alteration is defined as a change to a building or facility that affects or could affect the usability of the entire building or facility or a portion thereof. Additionally, alterations to historic properties will comply, to the maximum extent feasible, with the regulatory provisions applicable to historic properties. If it is not feasible to provide physical access to a historic property in a manner that will not threaten or destroy the historic significance of the building or facility, alternative methods of access shall be provided. Although the ADA Standards apply to new construction and alteration projects that began on or after March 15, 2012, they may also be used as a guide to determine when and how to enhance accessibility within these structures.

According to SUNY's website, it has a stated commitment to ensure students, employees, and visitors with disabilities have equitable access to all programs, services, and activities. SUNY Administration provides information and referrals concerning disabilities and higher education to the public and serves as a liaison between SUNY and local, State, and federal agencies as well as organizations dealing with individuals with disabilities. Its priorities include: making campuses and

---

programs accessible to students with disabilities; assisting in gathering and compiling data relating to students with disabilities; consulting with university administrators to ensure that policies and procedures developed at SUNY Administration do not exclude access for students with disabilities; and providing information and referrals to government officials, legislators, and the public concerning accessibility for students with disabilities.

SUNY Administration relies on individual campuses to oversee disability services programs and to create their own individual policies, procedures, and outreach as well as to make physical accessibility improvements. SUNY Administration has system-wide policies related to equal opportunity, electronic and information technology accessibility, and complaints. Further, SUNY Administration provides shared information, ideas, concerns, and news related to disability services with the campuses and offers training and professional development opportunities on a system-wide level.

While each campus is required to have a disability office that is responsible for handling reported disabilities and providing accommodations to students, the process varies by campus. SUNY Administration provides support to the Campus Coordinators of Disability Services (Coordinators) within each campus' disability office. The Coordinators meet with students who experience disability-related barriers with regard to any aspect of college life, including physical environment, housing, parking, communication, dietary needs, and academic requirements. Typically, at each campus, the student will submit an initial request for accommodations, and Coordinators will meet and engage with the student to determine the student's needs and arrange for reasonable accommodations. Determinations regarding accommodations are made on an individualized, case-by-case basis. Sources of information collected during the interactive process can take a variety of forms, such as the student's self-report form, disability professionals' observations and interactions, and/or information from external parties. Accommodations may include but are not limited to:

- Test-taking modifications
- Note-taking assistance
- Print materials in an alternative format
- Auxiliary aids, such as specialized computer software or hardware
- Assistive technologies
- Auxiliary services, such as sign language interpreters

Each fiscal year, SUNY Administration develops a Master Capital Plan. One objective of this plan is to protect, maintain, preserve, and modify its physical plant to comply with health and safety codes. The Master Capital Plan sets forth the projects proposed to be constructed, reconstructed, rehabilitated, or otherwise substantially altered during the succeeding 5-year period. A large portion of the Master Capital Plan includes projects designed to preserve, protect, and prevent deterioration of existing facilities such as exterior and interior building rehabilitations



---

and renovations, site infrastructure and utility projects to replace or repair building systems (e.g., mechanical, electrical, plumbing), and energy efficiency projects – including deep energy retrofits (e.g., building exteriors, roofs, windows, lighting). The Master Capital Plan also includes smaller critical maintenance projects such as masonry repairs, roof replacements, and small classroom renovations.

Additionally, campuses have their own Facility Master Plan that evaluates existing space inventories, usage, and conditions to accommodate need. These plans also provide recommendations for strategic facility improvements to meet current and future educational demands. As part of SUNY’s continuous planning process, campuses periodically update their Facility Master Plans largely in response to changes in campus leadership and strategic priorities as well as programmatic changes driven by shifting student demands and enrollment. Both the Master Capital Plan and the campuses’ Facility Master Plans incorporate projects to address accessibility. For example, SUNY’s 2022-23 Master Capital Plan includes ADA projects at certain campuses to rehabilitate sidewalks and bathrooms to address ADA Standards. Additionally, campuses have ADA Coordinators who are responsible for coordinating compliance with the ADA, investigating ADA complaints, and developing and publishing grievance procedures in order to provide fair and prompt resolution of complaints.

# Audit Findings and Recommendations

---

We found that accommodations have been provided to students with disabilities at the six campuses in our sample: Binghamton University (Binghamton), Maritime College (Maritime), Stony Brook University (Stony Brook), SUNY Morrisville (Morrisville), SUNY Cobleskill (Cobleskill), and SUNY Oneonta (Oneonta). Additionally, we determined the campuses provided outreach and training to students and staff about available services. Further, the campuses received no complaints regarding discrimination based on a student's disability. However, we did find that Morrisville failed to adequately document that 13 students did not complete the disability self-reporting process. We also found inconsistencies in how and when campuses reported students with disabilities within the State Education Department's (SED) Higher Education Data System (HEDS). For example, we found five campuses reported students with a disability in their system once the student self-identified as having a disability, as required, whereas Binghamton did not report a student with a disability until the accommodation plan was created.

We also visited the six campuses to determine whether the campuses were physically accessible for students. We found that the buildings, structures, and parking lots were ADA-compliant. However, should SUNY seek to go beyond the minimum standards set by the ADA, we identified 170 areas where accessibility could potentially be improved. We used the most current ADA Standards to evaluate the accessibility of sampled buildings, transportation structures (e.g., bus station shelters), and parking lots at the campuses. Although the ADA Standards apply to new construction and alteration projects that began on or after March 15, 2012, they may also be used as a guide to determine when and how to enhance accessibility with existing structures.

## Disability Services and Accessibility

### Academic Accommodations

During the audit period, all six campuses provided students access to the requested services and needed programs. The campuses also provided outreach and training to students and staff about available services and received no complaints regarding discrimination based on a student's disability. Further, we found 487 of 500 sampled students either had documentation supporting they were provided accommodations or did not complete the self-reporting process. For the remaining 13 students – all at Morrisville – we could not determine whether they should have received accommodations due to the lack of documentation maintained by Morrisville. While Morrisville officials stated the students did not complete the self-reporting process, they could not provide any documentation to show that was the case. Examples of missing documentation included no student file, no intake form, no emails, and/or a meeting cancellation. Morrisville officials stated the lack of documentation was due to employee turnover during our review period.

---

## Reporting Students With Disabilities

HEDS collects and distributes information annually on the status of higher education in New York State. Per the HEDS Instruction Manual, campuses must report all students (undergraduate and graduate) who self-identified as a student with one or more disabilities and are enrolled in one or more credit-carrying courses. Further, campuses must include students regardless of whether they were granted or received accommodations. Campuses may not include any student who has not self-reported but may have a disability based on visual observation or other indirect evidence. Campuses are required to submit the numbers of students with disabilities by September 30 of each year for the previous academic year.

We determined the campuses did not always report the correct data to HEDS and often reported information regarding students with disabilities at different points during the accommodations request process. For example, Binghamton did not report students with disabilities until the student's accommodation plan was created. The other five campuses reported students with disabilities at the time the student self-reported. This causes inconsistencies in how student disability data is reported by the different campuses and leads to HEDS data being incorrect. Binghamton officials stated they removed students who do not follow through with the process to obtain accommodations because they want their numbers to be accurate. However, this reporting method is not correct because the HEDS Instruction Manual requires campuses to report all students who self-identify as a student with one or more disabilities, regardless of whether they receive accommodations. SUNY Administration officials stated they work with SED to provide training to the campuses so that they report students correctly and consistently when students self-report a disability. Nonetheless, SUNY Administration and SED should continue to work together to provide the training and education needed.

## Campus Accessibility

At each of the six campuses, we visited a sample of buildings, parking lots, and transportation structures to determine if they were accessible or if there were potential accessibility improvement areas. To accomplish this, we reviewed bathrooms, classrooms, dining halls, dorms, libraries, student centers, gymnasiums, pools, parking lots, bus stops, elevators, and certain other areas and compared them to the ADA Standards.

We reviewed 103 buildings, transportation structures, and parking lots, totaling 2,697 items. For the buildings we reviewed, the SUNY campuses were compliant with ADA requirements. However, should SUNY seek to exceed the minimum standards set by the ADA, we identified 170 areas where accessibility could potentially be improved, as noted in the following table. For further details on each campus visited, see the Exhibit at the end of this report. We used the ADA Standards that apply to new construction or alteration that began on or after March 15, 2012 to evaluate the accessibility of the campuses. Although the ADA Standards apply to new construction and alteration projects that began on or after March 15, 2012, they may

also be used as a guide to determine when and how to enhance accessibility within existing structures.

### Potential Accessibility Improvement Areas

Structure Type	Total Items Reviewed	Potential Improvement Areas	Percent
Bathroom	1,624	138	8%
Classroom	256	5	2%
Parking lot	161	0	0%
Kitchen and laundry	158	6	4%
Locker room	123	9	7%
Accessible route	117	0	0%
Elevator	99	1	1%
Library	48	2	4%
Dining hall	40	1	3%
Swimming pool	28	0	0%
Transportation	27	6	22%
Water fountain	10	2	20%
Gym equipment	6	0	0%
<b>Totals</b>	<b>2,697</b>	<b>170</b>	<b>6%</b>

Many of the potential improvement areas we identified (84 of 170) are related to the height of certain amenities or fixtures. For example, in the bathrooms, we determined that 69 of the 138 potential improvement areas are due to the heights of sinks, mirrors, paper towel and soap dispensers, and toilet seats. Other potential improvement areas include the lack of shower benches in locker rooms, narrow widths of entrances to bathrooms or shower stalls, and the lack of accessible signage.

In addition, 131 of the 170 (77%) potential improvement areas could be the focus of any initial efforts to exceed the ADA's minimum requirements because they would likely not require structural changes. These potential accessibility improvement areas consist of items such as adding an extra grab bar in a bathroom, adding braille signage, or adjusting the height of a fixture so that it is the appropriate height for someone in a wheelchair. The other 39 potential improvement areas could involve structural changes. For example, we found two instances where a bathroom stall width was not wide enough according to the ADA Standards (which were used here as guidelines); however, a structural change to the bathroom may be required to make this improvement. In response to our preliminary findings, SUNY officials noted that campuses routinely assess ADA compliance improvements that are then incorporated into renovation projects. In addition, these items may have already been assessed not to be readily achievable by the campuses and/or are already wrapped up in plans for improvement.

We acknowledge there may be factors that were not observable, which could require structural changes to be made. For example, pipes behind a wall could make lowering a mirror more difficult, or improvements to a historic building may require additional restrictions to be considered. Although SUNY reviews accessibility and

---

incorporates improvements into their Master Capital Plans and Facility Master Plans, we found areas where improvements could potentially be made, as noted above. Therefore, campuses should review the potential improvement areas and incorporate them into their Facility Master Plans where feasible to ensure students, employees, and visitors with disabilities have equitable access to all programs, services, and activities.

## Recommendations

### To SUNY Administration:

1. Continue to work with SED to provide training and education to campuses to accurately and consistently report data on students with disabilities.

### To Campuses:

2. Maintain sufficient documentation for students with disabilities who don't follow through with the process to obtain accommodations.
3. Accurately and consistently report students with disabilities in accordance with SED requirements.
4. Continue to actively evaluate and improve accessibility and incorporate the potential improvement areas identified where feasible.

# Audit Scope, Objective, and Methodology

---

The objective of our audit was to determine whether SUNY has adequately provided access to campuses, programs, and services to students with disabilities. The audit covered the period from July 2018 to June 2021 and our observations of accessibility through October 2022.

To accomplish our objective and assess related internal controls, we became familiar with and assessed the adequacy of internal controls as they related to our audit objective. We reviewed federal laws, State laws, and SUNY policies and procedures. We interviewed SUNY Administration and SUNY campus officials to understand their processes for ensuring students are provided accommodations. To determine whether SUNY adequately provided access to programs and services, we selected a judgmental sample of six of the 30 SUNY campuses (4-year/graduate colleges) using disability data from SED's HEDS annual disability report for the 2018-19, 2019-20, and 2020-21 academic years. We selected the campuses based on multiple factors, including campuses that did not submit data to SED, the campus with the highest 3-year average of students with disabilities, the campus with the middle 3-year average of students with disabilities, the campus with the lowest 3-year average of students with disabilities, the campus with a high 3-year average of students with multiple disabilities, and the campus with the lowest 3-year average of students with multiple disabilities. There were a total of 6,450 students with disabilities reported at the six sampled campuses. At each location, we selected a random sample, totaling 500 students with disabilities, to determine if students were provided services. We reviewed student intake forms, accommodation plans, training materials, and outreach materials.

In addition, at the same six campuses, we selected a judgmental sample of types of buildings and structures to determine if the campuses were physically accessible for students. We selected 103 of 433 buildings and structures, including buildings that would be regularly used by students, and included at least one of each of the following at each campus: gymnasiums (7), academic buildings (26), residence halls (21), dining halls (9), libraries (6), bus stops (6), and parking lots (28). For our testing in each building, we measured using ADA Standards criteria for accessible routes, elevators, restrooms, water fountains, kitchens, laundry rooms, dining areas, swimming pools, gym equipment, libraries, parking lots, locker rooms, classrooms, and bus shelters.

None of the results of our samples can be projected to their respective populations as a whole. We were able to test the accuracy of the students with disabilities data with the campus-provided student files but not its completeness for Stony Brook. Stony Brook's student files are kept electronically and there wasn't a way to independently select students separately from the list of students with disabilities that was provided and generated from the same system database. However, based on our audit work, we determined the data provided by the campuses was sufficiently reliable for the purposes of this audit.

# Statutory Requirements

---

## Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. These duties could be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our professional judgment, these duties do not affect our ability to conduct this independent performance audit of SUNY's oversight of disability services.

## Reporting Requirements

A draft copy of this report was provided to SUNY officials for their review and comment. Their comments were considered in preparing this final report and are attached in their entirety at the end of the report. SUNY officials agreed with all four of our recommendations and indicated actions they will take to implement them.

Within 180 days after final release of this report, as required by Section 170 of the Executive Law, the Chancellor of the State University of New York shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

# Exhibit

## Potential Accessibility Improvement Areas by Campus

Structure Type	Binghamton		Cobleskill		Maritime		Morrisville		Oneonta		Stony Brook		Totals	
	Items Reviewed	Potential Improvements	Items Reviewed	Potential Improvements	Items Reviewed	Potential Improvements	Items Reviewed	Potential Improvements	Items Reviewed	Potential Improvements	Items Reviewed	Potential Improvements	Total Items Reviewed	Total Potential Improvements Identified
Bathroom	317	10	171	9	208	28	268	41	302	25	358	25	1,624	138
Classroom	52	0	27	0	40	3	29	0	46	0	62	2	256	5
Parking lot	50	0	15	0	9	0	24	0	45	0	18	0	161	0
Kitchen and laundry	33	1	20	1	6	0	23	0	34	0	42	4	158	6
Locker room	17	0	20	1	32	5	22	1	11	0	21	2	123	9
Accessible route	24	0	10	0	10	0	12	0	28	0	33	0	117	0
Elevator	19	0	14	0	8	0	14	0	22	0	22	1	99	1
Library	18	0	6	0	6	1	6	1	6	0	6	0	48	2
Dining hall	8	0	3	0	4	0	5	0	5	0	15	1	40	1
Swimming pool	7	0	0	0	7	0	0	0	5	0	9	0	28	0
Transportation	5	1	4	2	3	0	5	2	5	1	5	0	27	6
Water fountain	1	0	0	0	1	0	0	0	1	0	7	2	10	2
Gym equipment	1	0	1	0	1	0	1	0	1	0	1	0	6	0
<b>Totals</b>	<b>552</b>	<b>12</b>	<b>291</b>	<b>13</b>	<b>335</b>	<b>37</b>	<b>409</b>	<b>45</b>	<b>511</b>	<b>26</b>	<b>599</b>	<b>37</b>	<b>2,697</b>	<b>170</b>



# Agency Comments

---



The State University  
of New York

June 14, 2023

Ms. Nadine Morell  
Audit Director  
New York State Office of the State Comptroller  
110 State St.  
Albany, NY 12236

Office of the  
Senior Vice Chancellor for Operations &  
Chief Operating Officer

H. Carl McCall SUNY Building  
353 Broadway, Albany, New York 12246

[www.suny.edu](http://www.suny.edu)

Dear Ms. Morell:

In accordance with Section 170 of the Executive Law, we are providing our comments to the draft audit report on the State University of New York Oversight of Disability Services. The State University of New York System Administration and campuses (collectively referred to as "SUNY") are strongly committed to providing "educational services of the highest quality, with the broadest possible access, fully representative of all segments of the population in a complete range of academic, professional and vocational postsecondary programs." In furtherance of that commitment, the Board of Trustees has allocated to State-operated campuses an additional \$10 million in funds to support students with disabilities. These funds will be used for faculty training, technological support for accessibility purposes, minor improvements for physical accessibility, and specialized programs for specific disabilities including learning differences.

We are pleased that the OSC audit found that SUNY is providing access and academic accommodations to all students who identify as having a disability and that all building and structures were fully compliant with ADA standards.

We acknowledge that there were opportunities for improvement identified at two campuses (Morrisville and Binghamton) related to disability services. Both of these campuses had recently hired new directors of disability services, and each has already started to make procedural enhancements and changes. The former is working on improved coordination to ensure documentation is complete and accurate. The latter has further reviewed the SED's HEDS guidelines and has implemented procedures to fully align their reporting of students with disabilities.

With 2800 buildings spread over 25,000 acres, the magnitude of effort and planning for facility safety and compliance that is necessary demonstrates the significant considerations made by our campuses. As discussed with the auditors, the campuses engage in long-term capital planning, renovation planning and ongoing operational processes. As evidenced by the results of the audit, these plans include identifying, evaluating, and making accessibility improvements across campus. In addition, many of the items identified by the auditors are already incorporated within those plans and/or have already been addressed.

#### Recommendation #1

*Continue to work with SED to provide training and education to campuses to accurately and consistently report data on students with disabilities regarding NYSED's reporting requirements.*

---

SUNY agrees with the recommendation to continue this work and recently hosted such trainings with SED on January 18, 2023. and March 8, 2023.

Recommendation #2

*Maintain sufficient documentation for students with disabilities that don't follow through the process to request and obtain accommodations.*

SUNY agrees with the recommendation and the single campus identified during the audit will endeavor to maintain documentation for students with disabilities who do not follow through the process to request and obtain accommodations.

Recommendation #3

*Accurately and consistently report students with disabilities in accordance with SED requirements.*

SUNY agrees with recommendation and the single campus identified has already begun to take the necessary corrective actions.

Recommendation #4

*Continue to actively evaluate and improve accessibility and incorporate the potential improvement areas identified where feasible.*

SUNY agrees with the recommendation and will continue to actively evaluate and improve accessibility and will incorporate the potential improvement areas identified by the audit, where and when feasible. SUNY endeavors to continue to exercise prudence in the use of resources. As such, SUNY will consider the potential improvements in the context of ranking them against the priorities of the campuses' ADA plans for its facilities. As such, higher priority areas may be addressed before resources are allocated to areas that are already compliant.

Thank you for the opportunity to respond to the Draft Report.

Sincerely,



Beth Berlin

Senior Vice Chancellor for Operations and Management & Chief Operating Officer

Copy: Chancellor King  
Amy Montalbano, University Auditor

# Contributors to Report

---

## Executive Team

**Andrea C. Miller** - *Executive Deputy Comptroller*

**Tina Kim** - *Deputy Comptroller*

**Stephen C. Lynch** - *Assistant Comptroller*

## Audit Team

**Nadine Morrell**, *CIA, CISM* - *Audit Director*

**Theresa Podagrosi** - *Audit Manager*

**Amanda Eveleth**, *CFE* - *Audit Supervisor*

**Amanda Dare** - *Examiner-in-Charge*

**Ritika Baxi** - *Senior Examiner*

**Jeffrey Dormond** - *Senior Examiner*

**Ryan Chauvin** - *Staff Examiner*

## Contact Information

(518) 474-3271

[StateGovernmentAccountability@osc.ny.gov](mailto:StateGovernmentAccountability@osc.ny.gov)

Office of the New York State Comptroller  
Division of State Government Accountability  
110 State Street, 11th Floor  
Albany, NY 12236



Like us on Facebook at [facebook.com/nyscomptroller](https://facebook.com/nyscomptroller)

Follow us on Twitter @[nyscomptroller](https://twitter.com/nyscomptroller)

For more audits or information, please visit: [www.osc.state.ny.us/audits/index.htm](http://www.osc.state.ny.us/audits/index.htm)