



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF INSPECTOR GENERAL

THE INSPECTOR GENERAL

Statement for the Record
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Chairman Casey, Ranking Member Braun, Members of the Committee, thank you for holding this hearing today and for inviting me to share my thoughts on issues specific to accessibility, both as the Inspector General of the U.S. Department of Education and as the Chair of the Council of the Inspectors General on Integrity and Efficiency's (CIGIE) Diversity, Equity, Inclusion, and Accessibility (DEIA) Committee. I appreciate the opportunity to be a part of this important discussion.

As members of this Committee know very well, accessibility encompasses how organizations ensure equitable access to everyone along the continuum of human ability and experience, as well as how organizations make space for the characteristics that each person brings to the workforce. For the U.S. Department of Education (Department) Office of Inspector General (OIG), it also means taking actions to ensure that our products and services are more broadly accessible by all, since accessibility is not just about our physical workplace environment, it's about ensuring that everyone can access and benefit from the work we produce and the services we provide. We see this as an accountability component because it is not our words, but our actions that demonstrate that we are taking our goals and commitment to diversity, equity, inclusion, and accessibility seriously. And this is true throughout the Federal Inspector General community.

I have the honor of serving as the Chair of the CIGIE DEIA Committee, which helps to ensure that the comprehensive work produced by our well-trained and highly skilled workforce is accessible to the diverse public we serve. Established in 2020, our Committee looks to affirm, advance, and augment the CIGIE's commitment to promote a diverse, equitable, and inclusive workforce and workplace environment throughout the OIG community. To that end, in 2022, the Committee issued a report titled "[Advancing Diversity, Equity, Inclusion, and Accessibility: A Roadmap for Offices of Inspectors General](#)." This first-ever resource was created as a tool for all OIGs, regardless of size or where they are in advancing DEIA initiatives in their own offices. It offers goals, action steps, and ways to measure success that can be used by all OIG staff—from senior executives to entry level staff and those new to the OIG community. We are in the process of finalizing our first update to the Roadmap, providing additional information, resources, tools, and action steps to help OIGs take a more proactive approach to incorporating DEIA into their operations and work products, and to help ensure that Federal programs are operating as required, achieving desired results, and reaching the intended recipients. The updated Roadmap will include new "routes" and information related to equity, accessibility, and safe and harassment-free workplaces.

Specific to accessibility, the updated Roadmap will provide information for OIGs to (1) evaluate their products, services, policies, and procedures for compliance with accessibility requirements and to identify areas for improvement and collaboration; (2) increase staff awareness on accessibility, disability, and accommodations, as well as physical and attitudinal barriers to equitable opportunities; and (3) promote leading practices and standards within the OIG and implement emerging trends, support equitable access, and remove potential barriers.

The CIGIE updated Roadmap represents the next stage in our journey to drive innovation in the IG community and improve organizational performance and results. It will also be a living document that we will continue to update with new information and leading practices that will help position OIGs as model employers that value and promote equity for all Americans. The updated Roadmap will be available to the public [here](#) on the CIGIE website. I would encourage the public to read the report to learn more about the Federal Inspector General community and our commitment to ensuring accessibility with our work products and in our workplaces.

Specific to the U.S. Department of Education OIG, my office has included goals specific to accessibility in our [FY 2023–2028 Organizational Strategic Plan](#) as well as in our [FY 2023–2028 DEIA Strategic Plan](#), and we share our progress in meeting those goals in our [annual performance results reports](#) and [our DEIA annual progress reports](#). The first goal in our organizational strategic plan is to maximize our value to our stakeholders—America’s taxpayers, Congress, students, and their families—promoting effectiveness in the Department’s programs and operations by delivering relevant and timely information. Through this effort, we look to refine and implement processes to deliver high-quality products that are timely, cost-effective, and accessible to the diverse public we serve. Another one of our organizational strategic goals is to invest in the OIG workforce and workplace, cultivating a talented and diverse workforce and an inclusive, equitable, and accessible workplace environment that inspires engagement, creativity, and excellence. To this end, we look to build and maintain an accessible, collaborative, and cohesive workplace with the technology and related resources necessary to support an accessible work environment.

Accessibility is incorporated throughout our FY 2023–2028 DEIA Strategic Plan, including a goal specific to delivering high-quality and accessible audits, investigations, outreach, and other work products that align with our DEIA initiatives. Our strategies for reaching these goals include (1) advancing DEIA elements in OIG work products; (2) developing processes to ensure equity of opportunity when assigning staff to work assignments and special projects and initiatives; (3) ensuring the OIG’s work products, services, and digital presence are accessible to a vast audience, including people with visual and hearing impairments and individuals with limited English proficiency; and (4) enhancing our outreach efforts and creating new opportunities to message and deliver work products, services, and information to diverse stakeholders. One of the ways we plan to measure our success in meeting this goal is to regularly monitor and evaluate OIG programs, accessible information technology, services, and policies for compliance and any other regulatory guidance to identify opportunities to improve quality and consistency of access.

As both our organizational strategic plan and our DEIA strategic plan took effect in FY 2023, we are now evaluating our progress toward achieving our goals in this first year. We will be sharing

those results in our FY 2023 Performance Results Report and FY 2023 DEIA Annual Progress Report, which will be available to the public [here](#) on our website.

Now that I have shared information about the CIGIE's and my office's commitment and plans specific to accessibility with an emphasis on accountability, I am certain you are interested in hearing about our oversight work in this area. I am happy to share some of that work with you today.

Throughout the OIG's history, we have examined the Department's programs and operations. Where our work has identified weaknesses, we have offered recommendations to address those weaknesses. Our work has looked at issues that touch on accessibility—be it accessibility to student loan programs and information, K–12 and special education grants, access to Department systems and data, or website accessibility.¹ This includes work completed in 2023, such as the extent to which the Federal Student Aid office identifies individuals who belong to underserved communities and performs outreach to those identified individuals; the steps that the Office of Special Education and Rehabilitative Services has taken to implement its final regulations on significant disproportionality in special education; and the Office of Civil Rights' (OCR) processing of web accessibility complaints. Let me share information with you on that report.

As background, issues involving potential violations of, or complaints about, compliance and efforts specific to the Rehabilitation Act of 1973, as amended, and Title II of the Americans with Disabilities Act of 1990, as amended, are not common here at the OIG, so when an issue related thereto comes to my office, we take it very seriously. This was the case in late 2021, when the OIG Hotline received allegations involving OCR's handling of web accessibility complaints. The complainants alleged that OCR improperly closed web accessibility complaints that had been previously dismissed and reopened as directed investigations and that they also imposed unreasonable requirements on the filing of new web accessibility complaints. In response, we conducted a review to examine OCR's process for resolving web accessibility complaints and its approach to evaluating new web accessibility complaints.

Among our findings, we determined that OCR's resolution of web accessibility complaints previously dismissed and subsequently reopened as directed investigations² differed from how these reviews were resolved in the past, specifically, regarding whether a compliance determination was made, and that determinations made by OCR were inappropriate based on the level of testing performed. As a result of OCR's changes to its procedures and the unclear way these changes were implemented, it could be difficult for people unfamiliar with OCR's process to understand the procedures for processing these complaints. We also found that OCR changed its approach to evaluating new web accessibility complaints beginning in December 2018, more frequently applying a section of its Case Processing Manual to dismiss allegations and complaints for insufficient evidence, even though the evidence provided by complainants before

¹ Web accessibility is the practice of making websites usable for all visitors, including those with disabilities, impairments, and limitations.

² A directed investigation is an OCR-initiated process that allows OCR to review a recipient's program or activity that is not being addressed through the complaint process, compliance review, or technical assistance.

and after December 2018 was similar. As a result, OCR's new process may have created confusion and distrust among complainants and the public.

We made two recommendations to address the issues identified: (1) that OCR update its website, as necessary, to clearly communicate the evidence requirements so complainants can clearly understand what information is needed to support a successful web accessibility complaint; and (2) that OCR determine whether the web accessibility complaints dismissed since December 2018 should be reopened and reviewed without the complainant needing to re-file those complaints. The Department did not specifically agree or disagree with our findings and did not agree with our recommendations. This report is available [here](#) on our website.

As we enter a new fiscal year, my office will continue its work involving accessibility-related issues at the Department, whether ensuring access to its programs and information, or areas specific to accessibility. This work may include a review of the Department's external and internal websites and subsites for compliance with Section 508 of the Rehabilitation Act. We are also considering conducting a review of the Department's administration of reasonable accommodation requirements to ensure it is providing reasonable accommodations for employees with disabilities or those with diverse religious beliefs. We will be sure to share with the Committee the results of these reviews, or other work specific to accessibility, once final. Further, please know that we also stand ready to assist our oversight colleagues, such as the Government Accountability Office, in any accessibility-related work they may be conducting involving the Department.

I hope this information of our commitment to, our plans for, and our completed work involving accessibility issues has been helpful and informative. We will be sure to keep you apprised of our work and efforts in this area going forward. Thank you again for the opportunity to be a part of this hearing. I'm happy to answer any of your questions.