

DATE: November 4, 2016 **AGENDA ITEM:** G

TO: BSCC Chair and Members

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SUBJECT: Standards and Training For Corrections Compliance Report and Annual Update: **Information Only**

Summary

This agenda item provides the annual report for the Standards and Training for Corrections Division for Fiscal Year 2015-16, including compliance findings. This report describes ongoing efforts to revise core training for Probation Officers, Juvenile Corrections Officers and Adult Corrections Officers and to develop shared training requirements where appropriate to facilitate transfer flexibility between classifications. This report also includes an update on a recent workgroup of mental health experts focused on improving core training for corrections personnel who interact with mentally ill people who are incarcerated.

Background

Pursuant to Article 2, Section 6035 of the Penal Code and Title 15, Sections 100-355 of the California Code of Regulations, the Board of State and Community Corrections is responsible for the development and implementation of selection and training standards for corrections (STC) personnel employed in local corrections agencies. The STC Division has carried out these responsibilities on the Board's behalf since 1980. Currently STC is in the process of revising training standards to reflect job changes brought, in part, by advances in technology, changing demographics and California's adoption of public safety policies, most notably Public Safety Realignment.

The following is a summary of STC's four-phase Program Improvement Project to enhance and streamline training, as well as program statistics and compliance findings for Fiscal Year 2014-15.

STC Program Improvement Project Overview

Beginning in Fiscal Year 2012/13, the STC Division began a comprehensive, long-term program-improvement project to determine how STC could best meet the needs of local corrections agencies, particularly as duties changed by the implementation of Public Safety Realignment. The project consists of four phases:

- Phase 1: Program Policy and Regulation Revision
 - Phase 2: Job Research and Analysis
 - Phase 3: Selection and Training Standards Revision
 - Phase 4: Learning Management System (LMS) Implementation
- } *Local Selection and Training Standards Project*

Phase 1, completed in 2013, was an assessment of the regulations, policies and procedures that guide the STC program, and the implementation of changes to streamline and improve them. It was completed under the direction of an Executive Steering Committee, informed by a stakeholder survey, and approved by the Board. It resulted in numerous policy and regulation revisions and identified longer-term program improvement strategies. Those longer-term strategies formed Phases 2, 3 and 4.

Phase 2, completed in 2015, was an analysis of the jobs performed by Adult Corrections Officers, Juvenile Corrections Officers, Probation Officers, and their supervisors and managers and how those jobs have changed over time. The purpose of the analysis was to identify the tasks performed in these jobs and the knowledge, skills and abilities required to successfully perform those tasks. It is the foundation for revising the selection and training standards for those entry-level corrections positions. Job analysis is the legal and professional standard for developing selection and training standards.

Phase 3, currently underway, is the revision of the selection and training standards for corrections personnel to reflect the needs of the jobs as identified in Phase 2. Together, Phases 2 and 3 form the Local Selection and Training Standards (LSATS) Project, a sub-project of the larger Program Improvement Project. Phase 3 was initiated in April 2015 with the formation of an Executive Steering Committee chaired by Board Member Michael Ertola, probation chief of Nevada County. The ESC met in August 2015 and reviewed all 14 selection and training standards. The ESC determined that three standards did not need revision and referred the remaining 11 for further analysis to workgroups of practitioners and experts. The ESC prioritized the standards, setting the highest priority for the entry-level training standards and the entry-level selection exam.

Phase 4, also currently underway, is the design and implementation of a statewide, on-line Learning Management System (LMS). The web-based LMS will replace two electronic systems that are currently in place to certify courses and track funding. In addition, it will automate the current paper process involved in recording the completion of training, automate a portion of the annual compliance reviews, and provide a central statewide system for housing training records. The system will be phased in. The course certification feature was turned on in September 2016, and all training courses are now being certified through the new LMS system. The system is anticipated to be fully functional by June 2017.

STC Program Improvement Project – Phase 3 Activities

Core Training Revision

Completed Activities: In December 2015 STC convened two more workgroups to address several issues referred by the ESC for additional analysis by subject-matter experts. One workgroup focused on how and when core training is delivered; the second workgroup focused on the physical abilities requirements for newly hired corrections personnel. In October and November 2016, STC convened several workgroups to begin looking at the training needs of corrections personnel based on findings from the job analysis. Those workgroups identified changes to existing training, training gaps, as well as common training topics across corrections classifications. The goal is to develop a shared course of training among probation

officers and juvenile and adult corrections officers, where appropriate, and classification-specific training tracks.

Recent Activities: Mental health training is one area of great need identified through the job analysis and by nearly every workgroup. The job analysis indicated that the frequency and importance of tasks performed by corrections personnel related to individuals with mental health issues has increased substantially over time. Subject matter experts (SMEs) attribute this change to the higher proportion of mentally ill offenders in jails, juvenile facilities and on probation. In response, a meeting is scheduled for November 7-8, 2016 with mental health and job experts to review and revise mental health training for corrections personnel. The SMEs will review and make recommendations for mental health training within the core training for Adult Corrections Officers, Juvenile Corrections Officers, and Probation Officers. The review will include identifying performance objectives that are common across job classifications and identifying those that are classification specific. Additionally, the common performance objectives will be provided to instructional designers to build a mental health training lesson plan that will be made available to all core training providers.

Next Steps: STC currently is revising performance objectives as identified by the workgroups and is writing new performance objectives to fill the identified training gaps. In January 2017 another workgroup will bring together all input from prior workgroups to assemble a core training curriculum, including the training topics, and will finalize performance objectives, instructional time and tests. STC then will make final when and how core training will be delivered.

Selection Exam Revision

Completed activities: In October and November of 2015, STC met with subject-matter experts at regional meetings across the state to identify the cognitive skills required for entry-level corrections positions and to review several types of test questions that would assess those cognitive skills. The results of those workgroups were used to develop a bank of test questions for a single selection exam that will replace the three separate exams currently in use for probation officers and juvenile and adult corrections officers. This ultimately will allow for streamlined testing and easier transfer among job types.

Current Activities: For now STC has embedded the new pilot test questions as non-scored items within the existing selection exams. The pilot test questions are being continuously analyzed to assess whether each is answered correctly at an appropriate rate in an effort to determine the "performance" of the questions. If necessary, new test questions will be written and used to replace questions that do not perform adequately. This ongoing test piloting processes will continue until enough validated test questions are produced to develop a new exam form.

Next Steps: Upon production of an adequate number of new test questions, a new test form will be developed to replace the three separate exams currently in use. STC

also will begin looking at opportunities to use the new LMS system to deliver the exam online as a cost-effective and faster alternative to paper testing.

Program Statistics for Fiscal Year 2015-16

This section of the report provides an update on participating agencies, staff and training for FY 2015-16. In Fiscal Year 2015-16, STC had voluntary participation from 161 Sheriff's Offices, Departments of Corrections, Probation Departments and Police Departments. There were two fewer local agencies than last year with the withdrawal of Roseville Police Department and Sierra County Sheriff's Office. The total also includes the addition of seven modified community correctional facilities that STC supports under a contract with CDCR.

Attachment G-1 provides data reflecting the number of:

- participating agencies for FY 2015-16
- participating staff by category
- job applicants tested using BSCC's selection examinations by position
- training hours by type of training
- staff training hours received by job classification
- trainings delivered by STC

These tables also provide comparative data for FY 2014-15.

Compliance Findings for Fiscal Year 2015-16

In accordance with section 6035 of the Penal Code and Section 318 of the California Code of Regulations, STC also is required to monitor annually our participating agencies' adherence to standards and those agencies' compliance with policies and procedures of the STC Program. The purpose of this compliance-monitoring process is to ensure that each agency operates in accordance with its approved and funded Annual Training Plan (ATP), the program regulations, and the law. Of the 161 agencies that participated in the STC Program in 2015-16, 155 agencies were found to be In Compliance and six agencies were Out of Compliance in accordance with their ATPs and the STC regulations, policies, and procedures (Attachment G-2).

In Compliance – (155 agencies)

In Compliance is determined when an agency has met 100 percent of its training obligation, or if mitigating circumstances were identified that prevented an agency from meeting its training obligation. Each training file with a mitigating circumstance was evaluated, as required by the BSCC policy. The impacted agencies provided the reasons staff members were not in full compliance with standards and described the actions taken to correct the problem. Staff then determined whether the agency was In Compliance by applying the policy adopted by the Board for In Compliance, which states:

Agencies can be found in compliance if staff fail to meet the training standard but meet the following criteria for approved mitigating circumstances:

- a. an employee's significant unanticipated leave at the end of the fiscal training year make it impractical to complete the required training;
- b. an employee was absent from work for 6 months or more within the fiscal training year;
- c. a personnel problem involving an employee but the participating department has taken positive steps to correct the problem;
- d. an innocent error (e.g., record keeping error, clerical error, computer data entry error, etc.); or
- e. the number of staff or the number of hours lacking for full compliance is insignificant compared to the agency's total training obligation, and this occurred despite the agency exercising due diligence in the management and oversight of the training program.

In addition to the above criteria, Field Representatives may consider other unforeseen or extraordinary circumstances such as cancellation or non-availability of core courses.

As a result of this review, 155 agencies are In Compliance with the policy.

Out of Compliance – (6 agencies)

Out of Compliance is determined when an agency has not met 100 percent of its training obligation and does not have an approved mitigating circumstance. Six agencies were found to be Out of Compliance with the requirements of the STC Program. All of those agencies are in their first year of Out of Compliance.

Attachment G-3 contains a list of agencies that are Out of Compliance, the number of eligible staff, the minimum required training hours, and the number of staff that failed to meet the training standard. Attachment G-4 provides a compliance history for all participating agencies.

The following are the mandatory sanctions adopted by the Board for local agencies found to be out of compliance:

- First-Year: Notice to department head and respective county CAO; detailed ATP; corrective action plan; quarterly on-site technical review; regular quarterly allocation.
- Second-Year: Notice to department head and county CAO; detailed ATP; comprehensive corrective action plan; quarterly on-site STC monitoring; retroactive allocation of funds quarterly if the department is in compliance with its approved training plan.
- Third-Year: Deny department participation in the STC Program for one year.

In accordance with STC policies and procedures, the six local agencies and one modified community correctional facility that were found to be out of compliance for FY 2015-16 are required to submit corrective action plans to remedy the problems in the succeeding fiscal year. All have done so.

Attachments

- G-1: FY 2015-16 Program Stats
- G-2: FY 2015-16 Compliance Monitoring Findings
- G-3: FY 2015-16 Out of Compliance Agencies
- G-4: STC Compliance History