

MEETING DATE: November 14, 2019

AGENDA ITEM: B

TO: BSCC Chair and Members

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

Summary

Section 318 of Title 15 of the California Code of Regulations directs BSCC to annually monitor local correctional agency compliance with Standards and Training for Corrections (STC) training standards. This agenda item provides program statistics and compliance findings for the STC Division for Fiscal Year 2018-19.

Background

Program Statistics for Fiscal Year 2018-19

In Fiscal Year 2018-19, 160 Sheriff's Offices, Departments of Corrections, Probation Departments and Police Departments participated in the STC program. The total also includes seven modified community correctional facilities that STC supports under a contract with CDCR.

Participation in the program is voluntary. Agencies that choose to participate in the program receive access to selection and training standards that have been validated for correctional classifications, technical assistance and training to support their training programs, and funding to offset the costs of meeting the STC standards.

Attachment B-1 provides data reflecting the number of:

- participating agencies for FY 2018-19
- 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 2017-18.

Compliance Findings for Fiscal Year 2018-19

In accordance with Penal Code section 6035 and Title 15, Division 1, Chapter 1, Subchapter 1, Article 8, Section 318, STC is required to annually monitor participating agencies' adherence to the standards, 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, the program regulations, and the law. Of the 160 agencies that participated in the STC Program in 2018-19, 152 agencies were found to be "In Compliance" and eight agencies were "Out of Compliance" with STC training requirements (Attachment B-2).

In Compliance – 152 agencies

An agency is "in compliance" when it 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 to determine whether it met the criteria required by policy and adopted by the Board, 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, 152 agencies are in compliance with the policy.

Out of Compliance – 8 agencies

An agency is “out of compliance” when it has not met 100 percent of its training obligation and does not have an approved mitigating circumstance. Eight agencies were found to be out of compliance with the requirements of the STC Program. Six of those agencies are in their first year of out of compliance status. Two agencies are in their second consecutive year of being out of compliance. (Attachment B-3)

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 administrative officer (CAO); detailed Annual Training Plan; corrective action plan; quarterly on-site technical review; regular quarterly allocation.
- Second Year: Notice to department head and county CAO; detailed Annual Training Plan; comprehensive corrective action plan; quarterly on-site STC monitoring; retroactive allocation of funds quarterly.
- Third Year: Deny department participation in the STC Program for one year.

Attachment B-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 B-4 provides a compliance history for all participating agencies.

All agencies found to be out of compliance for FY 2018-19 have submitted responsive corrective actions plans, as required by the STC, to remedy the deficiencies in the subsequent fiscal year.

Attachments

- B-1: FY 2017-18 Program Stats
- B-2: FY 2017-18 Compliance Monitoring Findings
- B-3: FY 2017-18 Out of Compliance Agencies
- B-4: STC Compliance History