

MEETING DATE: November 16, 2023

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

Section 318 of Title 15 of the California Code of Regulations directs the Board of State and Community Corrections (BSCC) to annually monitor local correctional agency compliance with the Standards and Training for Corrections (STC) Program. This agenda item provides compliance findings and program information for the STC Division for Fiscal Year (FY) 2022-23.

Background

Program Statistics for Fiscal Year 2022-23

In Fiscal Year 2022-23, 150 Sheriffs' Offices, Departments of Corrections, Probation Departments and Police Departments participated in the STC Program.

Participation in the STC program is voluntary. Agencies that choose to participate in the program receive access to selection exams that have been validated for correctional classifications and technical assistance to support their training programs. STC administers \$20.9 million annually for participating agencies to offset the cost of meeting STC standards.

Attachment G-1 provides data reflecting the number of:

- STC participating agencies for FY 2022-23;
- STC participating staff by job classification;
- Job applicants tested using BSCC's selection examinations by position;
- STC training hours by type of training; and
- STC staff training hours received by job classification.

These tables also provide comparative data for FY 2021-22.

Compliance Findings for Fiscal Year 2022-23

In accordance with Penal Code section 6035 and section 318 of Title 15 of the California Code of Regulations, 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 150 agencies that participated in the STC Program in 2022-23, 136 agencies were found to be “In Compliance” and 14 agencies were found to be “Out of Compliance” with STC training requirements (Attachment G-2).

Across the state, in FY 2022-23 there were 31 staff who did not receive the required core training within one year of assignment and 25 staff who did not receive all their required annual training. Note, however, 31,084 individuals participate in the STC program. As such, the number of staff not meeting the full STC training requirement represents less than one quarter of one percent of local corrections personnel statewide.

In Compliance: 136 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 made it impractical to complete the required training;
- b. an employee was absent from work for six 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 training courses.

STC’s annual review found 136 agencies to be in compliance with the policy.

Out of Compliance: 14 agencies

An agency is “out of compliance” when it has not met 100 percent of its training obligation and does not meet the criteria for an approved mitigating circumstance. Fourteen agencies were found to be out of compliance with the requirements of the STC Program. Ten of those agencies are in their first year of non-compliance status and four agencies are out of compliance for a second consecutive year.

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) or city manager; detailed Annual Training Plan; corrective action plan; quarterly on-site technical review; regular quarterly allocation.
- Second Year: Notice to department head and county CAO or city manager; 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 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.

All agencies found to be out of compliance for FY 2022-23 have submitted responsive corrective actions plans, as required by the STC, to remedy the deficiencies in the subsequent fiscal year.

It should be noted that in FY 2022-23, COVID-19 was no longer considered a mitigation issue for correctional training. Many agencies were still relying heavily on virtual training, and STC maintained a list of certified courses for agency reference. Still, others are using on-the-job training modules and delivering training on-site and some agencies are participating in multiple on-site locations throughout California. The barriers and available solutions are unique to each agency and STC is working closely with participating agencies to assist them.

STC Activities in the Field

In addition to monitoring local corrections agencies for compliance with training requirements, STC Field Representatives perform the following functions throughout the year:

- certify courses submitted by local agencies and providers;
- sit in and monitor STC-certified courses to ensure they meet STC standards; and
- provide technical assistance to agencies struggling to meet STC requirements.

STC also offers two in-house certified training courses: a Training Managers' Course (TMC) and an Instructor Development Course (IDC). The TMC is a two-day course offered at least four times per year, to new training managers and their staff, to familiarize them with STC policies and procedures, their agency's roles and responsibilities as a participant in the STC program, and funding, reimbursement and course certification processes. STC offers this course in both a virtual and in-person setting.

Recommendation/Action Needed

This is an information item and does not require Board action.

Attachments

- G-1: FY 2022-23 STC Program Statistics
- G-2: FY 2022-23 Compliance Monitoring Findings
- G-3: FY 2022-23 Out of Compliance Agencies
- G-4: STC Compliance History