

LEGISLATIVE BUDGET BOARD PERFORMANCE REVIEW

Legislative Budget Board

Criminal Justice Forum

March 7, 2014



Outline of Today's Criminal Justice Forum

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- Criminal Justice Forum parameters
- Agency Performance Review team presentation
- School Performance Review team presentation
- Audience feedback and questions

Criminal Justice Forum Parameters

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- Diverse group of participants
- A learning opportunity for all
- Limited to the subject area
- Please hold all questions and feedback until the end of the presentation
- Please fill out the feedback form and turn in after the Forum (last page of handouts)
 - **There is a section of the feedback form specifically for Agency/School Performance Review research suggestions**

Feedback Form – Research Suggestions

What did you like most about the forum?

What are your suggestions for improving the forum?

Other comments or suggestions:

Please provide us with any recommendations for future research or suggestions to improve current or planned research:

To help us better meet your needs, please check the category that best describes you:
 Legislative staff
 State agency staff
 Local government staff
 College/University Faculty
 College/University Student
 Advocacy group members
 Media bloggers
 General Public
 Other, please specify: _____

Please provide us with any recommendations for future research or suggestions to improve current or planned research:

Criminal Justice Forum Parameters

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- Criminal Justice Forums are an opportunity for various groups to come together to learn about and discuss current issues in criminal/juvenile justice.
- If you have any questions that remain unanswered following the Criminal Justice Forum, please feel free to talk with any CJDA team member following the Forum
- Past Criminal Justice Forum presentations may be found here: <http://www.lbb.state.tx.us/CJDA.aspx?Team=CJDA>



Agency Performance Review Team Overview

What is Agency Performance Review?

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- Authority: Government Code Section 322.0165, 322.017, and 322.0171.
- The Agency Performance Review (APR) team conducts reviews of select policy issues and government programs to ensure the effective and efficient use of state resources.
- Many reports include recommendations for statutory and budgetary changes that would positively affect the budget, improve services, or apply innovative practices to state government operations.
- Results reported to the Legislature and Governor and may be considered as part of the appropriations process.

Types of Reviews

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- Fiscal Impact – Result in measurable cost savings or revenue gain within the coming biennium.
- Good Government – Improve program efficiency or program delivery.
- Investment Budgeting – Increased short-term cost with potential for long term cost avoidance or savings.
- Informational – Provide an overview of an issue and information on options or activity in other states.

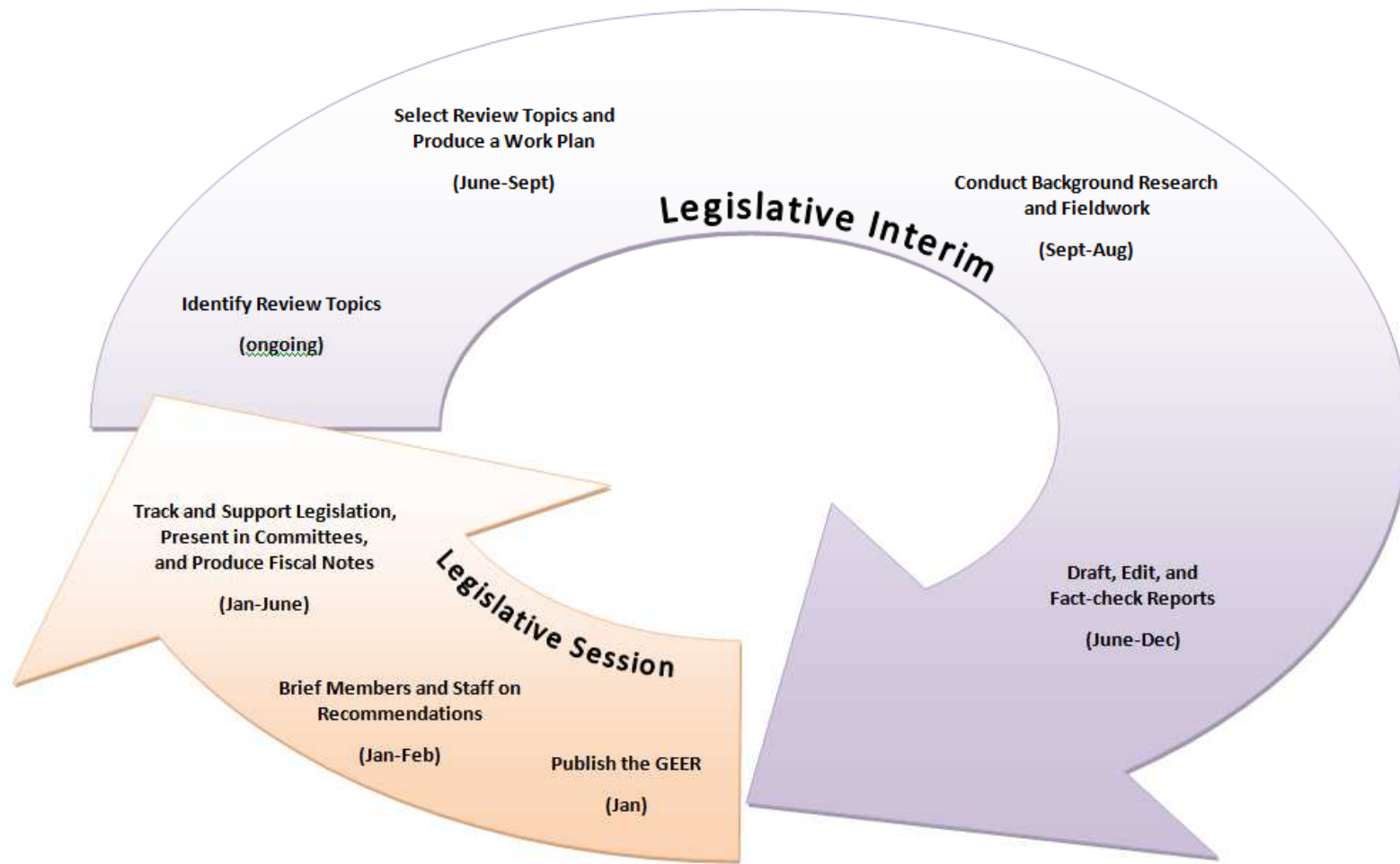
LBB Performance Review Process

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1. Issue Identification
2. Work Plan Development
3. Research and Report Development
4. Quality Control and Session Preparation
5. Publication
6. Supporting APR Recommendations

Performance Review Work Cycle

10



Issue Identification

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- Issue identification is a continuous process that culminates in August of odd numbered years.
- The team conducts research to identify issues and policy topics of interest or concern to members of the Legislature, agencies/institutions, and stakeholders by monitoring hearings, activity in other states, agency board and stakeholder meetings, and other research.
- Review topics are also proposed by legislative members and staff, agency management, state employees, LBB analysts, and members of the public. Suggestions for reviews are requested via letter after each session.






www.bettertexasgov.org

Agency Performance Review Team

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The Legislative Budget Board (LBB) is a permanent joint committee of the Texas Legislature that develops budget and policy recommendations for legislative appropriations, completes fiscal analyses for proposed legislation, and conducts evaluations and reviews to improve the efficiency and performance of state and local operations.

Highlights

-  **2014-15 Budget Bills and Resources**
Appropriations bills, summaries, presentations, and other resources related to the development of 2014-15 state budget.
-  **Government Effectiveness and Efficiency Report (GEER), 2013**
Policy reports and recommendations to improve state government operations.
-  **State Budget by Program (SBP)**
Provides sortable and down-loadable information on programs funded in the state budget.
-  **Issue Briefs**
Short summaries outlining important budgetary and policy issues facing Texas.
-  **2014-15 Texas State Budget**
The General Appropriations Act for the 2014-15 Biennium, by the 83rd Texas Legislature.

What's New

[Subscribe](#)

- Submit An Agency Performance Review Idea**
- ▶ **Adult and Juvenile Correctional Populations: Monthly Report (January)**
January 16, 2014 | Info-graphic
- ▶ **Adult and Juvenile Correctional Populations: Monthly Report (FY 2014)**
January 16, 2014 | Info-graphic
- ▶ **HB 2086 Annual Criminal Justice Policy Impact Statement**
December 9, 2013 | Memorandum
- ▶ **2014-15 State Budget (2014-15 General Appropriations Act)**
December 4, 2013 | Budget
- ▶ **QAT Annual Report 2013**
December 3, 2013 | Policy Report
- ▶ **QAT Annual Report Cover Letter 2013**
December 3, 2013 | Policy Report
- ▶ **Performance Reporting - New Key Measures**
November 27, 2013 | Instructions
- ▶ **Transportation Funding Overview, 83rd Legislature, 2013**
November 21, 2013 | Presentation
- ▶ **Document Submissions Instructions**
November 7, 2013 | Instructions

Search

2000 ▼ to 2014 ▼
All Subjects ▼
All Document Types ▼

Budget & Fiscal Policy

- **Trends in State Government Expenditures for the 3rd Called Session (August 2013)**
August 2013
- **Economic Stabilization Fund History: Balances and Expenditures (Updated)**
August 2013
- **SB1 Conference Committee Summary Information (2014-15 State Budget)**
June 2013
- **Budget Control Act Across-The-Board Reductions**
February 2013
- **General Revenue-Dedicated Funds**
November 2012

Agency Performance Review

- **Government Effectiveness and Efficiency Report (GEER)**
January 2013
- **Options to Reduce Reliance of General Revenue-Dedicated Accounts for Certification on the General Appropriations Bill**
January 2013

The Legislative Budget Board welcomes your suggestions to ensure the efficient use of the state's resources. [Submit an Idea](#)

Agency Performance Review Team

...Or Here

The screenshot shows the Legislative Budget Board website. At the top, the text "LEGISLATIVE BUDGET BOARD" is displayed in a serif font. Below this is a navigation menu with items: HOME, BUDGET, PUBLICATIONS, FISCAL NOTES, LBB TEAMS, ABOUT THE LBB, EXTERNAL LINKS, and AGENCIES PORTAL. The main content area is titled "LBB Teams > Agency Performance Review".

On the left side, there is a "Search" section with a search bar and a "Search" button. Below the search bar are three dropdown menus: "2000" to "2013", "All Subjects", and "All Document Types".

Below the search section is the "APR Resources" section, which includes links for "APR Statutory Basis" and "Texas Government Code, Chapter 322".

Below that is the "GEER Archives" section, which includes a link for "Submit an Idea" that is circled in red.

On the right side, there is a section titled "Agency Performance Review (APR) Team" with a description of the team's work. Below this is the "Government Effectiveness and Efficiency Report (GEER)" section, which includes a link to "Click on the year to expand" and a list of years: 2013, 2011, 2009, and 2007.

At the bottom right, there is a "Publications" section with a map of Texas and a link to "Agency Performance Review". Below this is a list of publications for the year 2013, including "Options to Reduce Reliance on General Revenue-Dedicated Accounts for Certification on the General Appropriations Bill".

Work Plan Development

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- Analysts conduct preliminary research and develop more detailed project proposals for certain ideas.
- Project proposals are sorted by type and ranked using criteria such as potential fiscal impact, impact on program participants and state agency workload, and availability of data and skills needed to complete the review.

Report Development

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- Team conducts in-depth research, interviews agency staff and stakeholders, site visits, gathers data, completes analysis, and develops findings.
- Analyst drafts report on the findings, concerns, recommendations, and any historical information related to assigned topic.

Quality Control and Session Preparation

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- Second analyst reviews all evaluation work, research, data analysis, methodology, and draft documents for accuracy and quality.
- Update budget figures, other reported statistics, and fiscal impact calculations to reflect the most recent data available.
- Edit, format, and prepare reports for publication.

Publication

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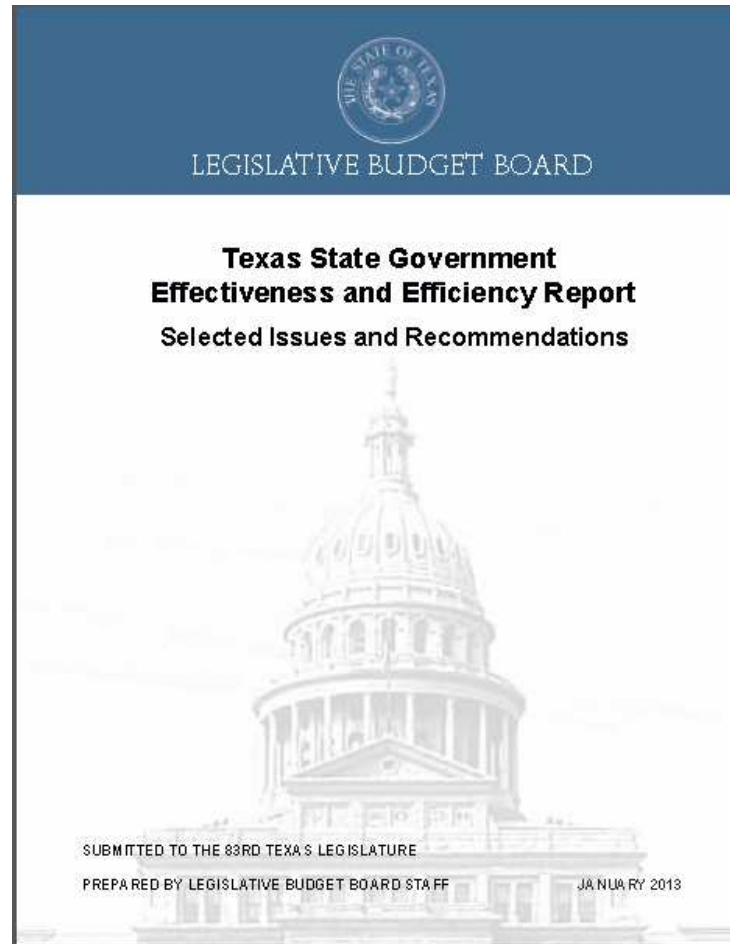
- Government Effectiveness and Efficiency Report (GEER)
 - Released in January of odd numbered years
 - Contains majority of active recommendations and informational reviews

- Executive Summary
 - 1-2 page brief for each report published in GEER and other LBB staff policy reports
 - Separate publication to provide highlights of reports for easy reference during hearings and floor debates

- Ad-Hoc Publications
 - Some reviews are published individually due to size, focus, or expected use

Agency Performance Review Team

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Supporting APR Recommendations

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- ❑ Draft Rider Language
- ❑ Work with Texas Legislative Council to Develop Draft Legislation
- ❑ Brief Potential Bill Sponsors
- ❑ Support Bill Sponsors
- ❑ Monitor Legislation
- ❑ Produce Fiscal Notes
- ❑ Attend Policy Committee Hearings
- ❑ Attend Budget Committee's Formal Meetings and Workgroups
- ❑ Track Contingency Riders

2013 GEER

61 unique reports

20

- 143 Recommendations
 - Statutory Changes
 - Rider and Appropriations changes in the GAA
- Enacted
 - 67 Recommendations Adopted or Adopted with Modifications

Criminal Justice Review Highlights

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- GEER 2007, 80th Legislature: Implement an Annual Parole Supervision Program to Reduce the Cost of Supervising Low-risk Offenders
- GEER 2009, 81st Legislature: Reduce Prison Population by Reducing Parole Process Delays
- GEER 2013, 83rd Legislature: Establish a Permanent Mechanism to Review Sentencing Policies and Control Criminal Justice Costs
Summary
- GEER 2013, 83rd Legislature: Improve the Implementation and Assessment of Local Juvenile Probation Programming to Ensure Quality

Implement an Annual Parole Supervision Program to Reduce the Cost of Supervising Low-risk Offenders

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Why selected?

- Supervising eligible low-risk offenders on an annual basis would reduce the number of parole staff required or reduce caseloads for existing parole officers.
- Opportunities for improved efficiencies and better offender management.

Implement an Annual Parole Supervision Program to Reduce the Cost of Supervising Low-risk Offenders

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Recommendation

- Include a rider to direct the use of \$2.2 million of the Texas Department of Criminal Justice's parole appropriation for an annual parole supervision program which would reduce the resources needed to supervise low-risk offenders.

Implement an Annual Parole Supervision Program to Reduce the Cost of Supervising Low-risk Offenders

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Was it implemented? Yes

- ❑ Offenders meeting the following criteria may be allowed to report in person for an office visit once per year:
- ❑ Have an instant offense(s) or prior conviction(s) that do not include a 3(g) or sex offense;
- ❑ Satisfactory completion of one year on Quarterly Report status;
- ❑ Court costs, and related fees are paid in full; and
- ❑ Current on supervision fees.

Reduce Prison Population by Reducing Parole Process Delays

25

Why selected?

- State Auditor Report showed that a large number of eligible offenders approved for parole (pending participation in a rehabilitation program) would spend months incarcerated before actually being released for parole.
- Releasing offenders once they had completed the Parole Board approved program and met release conditions would reduce prison populations and save the state money.

Reduce Prison Population by Reducing Parole Process Delays

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Recommendations

- Amend statute to allow TDCJ to release offenders upon completion of a Parole Board specified rehabilitation program and meeting all other requirements set by the Board.
- Direct TDCJ to automate forms currently completed by institutional parole officers as a part of the case summary file used by the Parole Board to review an offender for release.

Reduce Prison Population by Reducing Parole Process Delays

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Was it implemented? Partially

- SB 1206 as introduced was modified and passed both houses. The Governor vetoed it.
- Instead, the Governor directed the Parole Board and TDCJ to work together to develop a process that reduces unnecessary delays when an offender is released.
- We followed up in 82R with recommendations that directed the Parole Board and TDCJ to evaluate processes and identify inefficiencies that continued to delay releases.

Establish a Permanent Mechanism to Review Sentencing Policies and Control Criminal Justice Costs

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Why selected?

- Texas lacks a comprehensive process to assess sentencing practices and may be foregoing savings and other efficiencies that may be achieved through sentencing reform.
- The last comprehensive review of sentencing, practices, policies and laws occurred 20 years ago.

Establish a Permanent Mechanism to Review Sentencing Policies and Control Criminal Justice Costs

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Recommendations

- Amend statute to establish a sentencing commission to review Texas sentencing laws comprehensively to align penalties with offenses, modernize laws, and study statewide sentencing dynamics every ten years.
- Appropriate \$1.15 million in General Revenue Funds via a contingency rider to operate a sentencing commission and implement a statewide sentencing dynamics study.

Establish a Permanent Mechanism to Review Sentencing Policies and Control Criminal Justice Costs

30

Was it implemented? No

- HB 990 passed the House of Representatives and was referred to the Senate Committee on Criminal Justice but received no further action.

Improve the Implementation and Assessment of Local Juvenile Probation Programming to Ensure Quality

31

Why selected?

- Local probation departments vary significantly in their resources and expertise in designing and evaluating local programs.
- If departments cannot thoroughly evaluate their programs, they may continue ineffective practices that do not improve outcomes for youth, and result in more social and financial costs for Texans.

Improve the Implementation and Assessment of Local Juvenile Probation Programming to Ensure Quality

32

Recommendations

- Include a rider to direct the use of \$294,000 of the Texas Juvenile Justice Department's appropriation to increase technical assistance for program design and evaluation for programs operated by juvenile probation departments.

Improve the Implementation and Assessment of Local Juvenile Probation Programming to Ensure Quality

33

Was it implemented? Yes

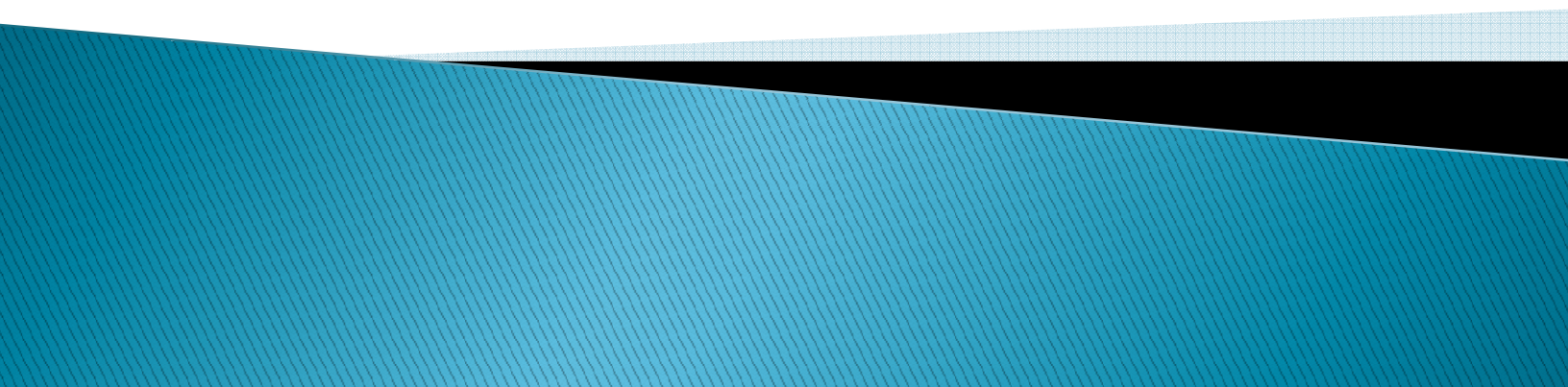
- The rider directed the agency to provide assistance that included
 - visiting local juvenile departments to provide in-depth consultative technical assistance;
 - assisting juvenile probation departments in developing logic models and performance measures for all programs;
 - facilitating partnerships with other entities to assist departments with statistical program evaluations; and
 - following current research and disseminating best practices.

Contact Information

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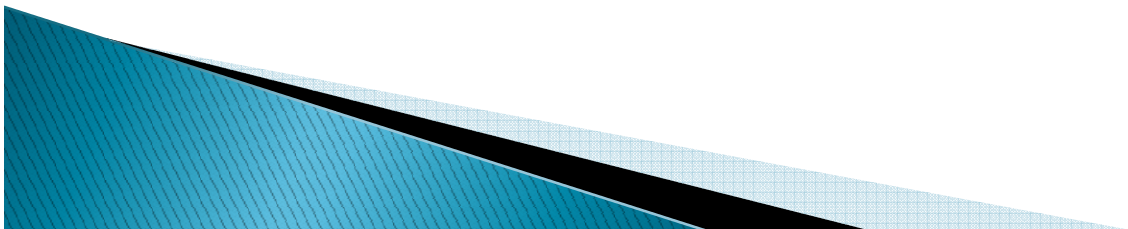
- Jennifer Quereau,
Jennifer.quereau@lbb.state.tx.us

School Performance Review Overview

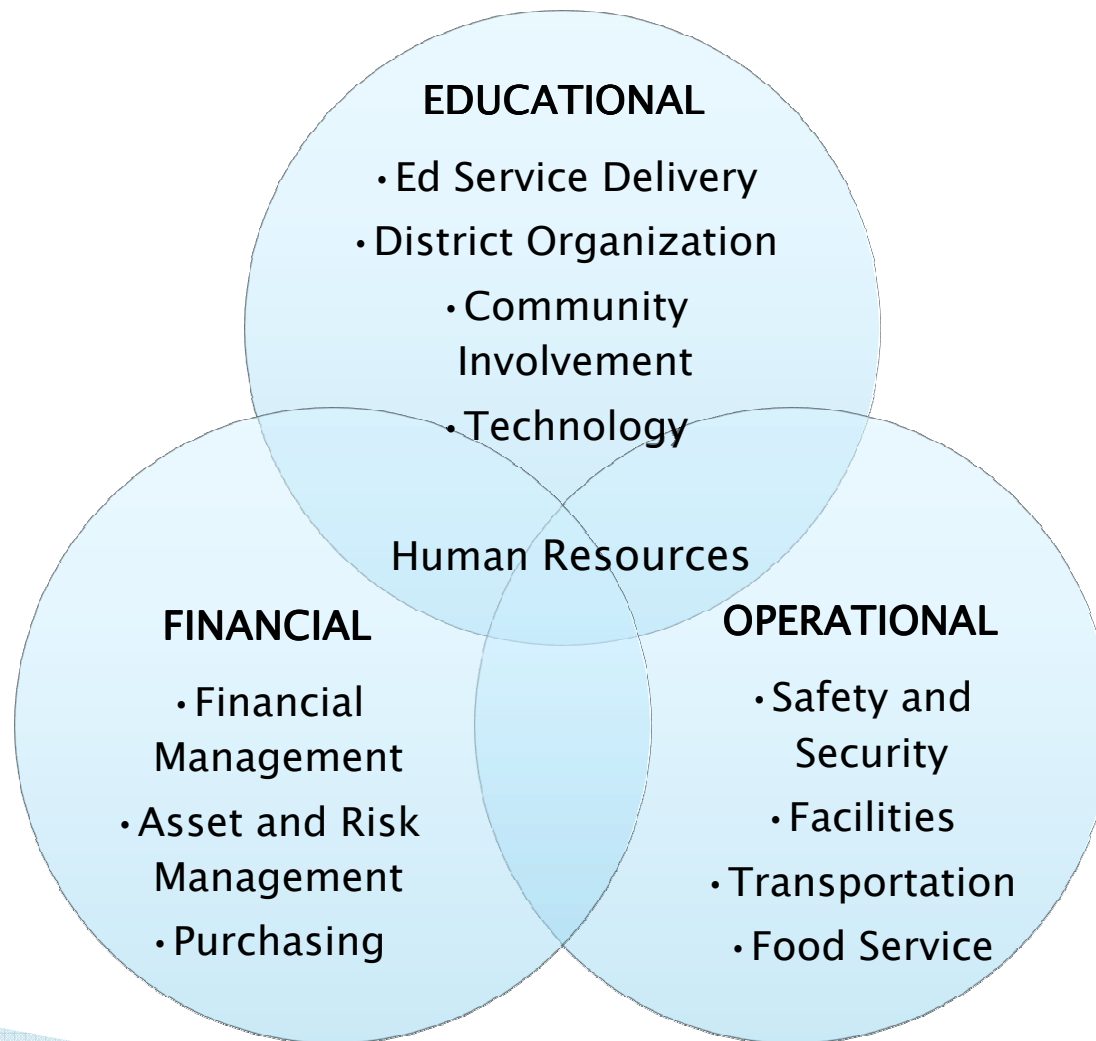


Program Overview

- ▶ The nation's first state-level program designed to improve the management and finances of individual public school districts.
- ▶ The Texas Legislature created the School Performance Review (SPR) in 1990 to “periodically review the effectiveness and efficiency of the budgets and operations of school districts.” (Government Code Section 322.016)
- ▶ SPR reviews school district functions and recommends ways to cut costs, increase revenues, reduce overhead, streamline operations, and improve the delivery of educational, financial and operational services.



Functional Areas in School Reviews



Three Review Types

- ▶ **Comprehensive**
 - Review of all 12 functional areas.
 - Report to the school district, including accomplishments, findings, and recommendations.
- ▶ **Targeted**
 - Review of specific functional area at multiple districts.
 - Report to the school district, including accomplishments, findings and recommendations.
 - Information also used in a policy report to the Legislature.
- ▶ **Policy**
 - Specific topic area (either targeted or general education research)
 - Informational and findings/recommendations to the Legislature.

School Performance Review Process

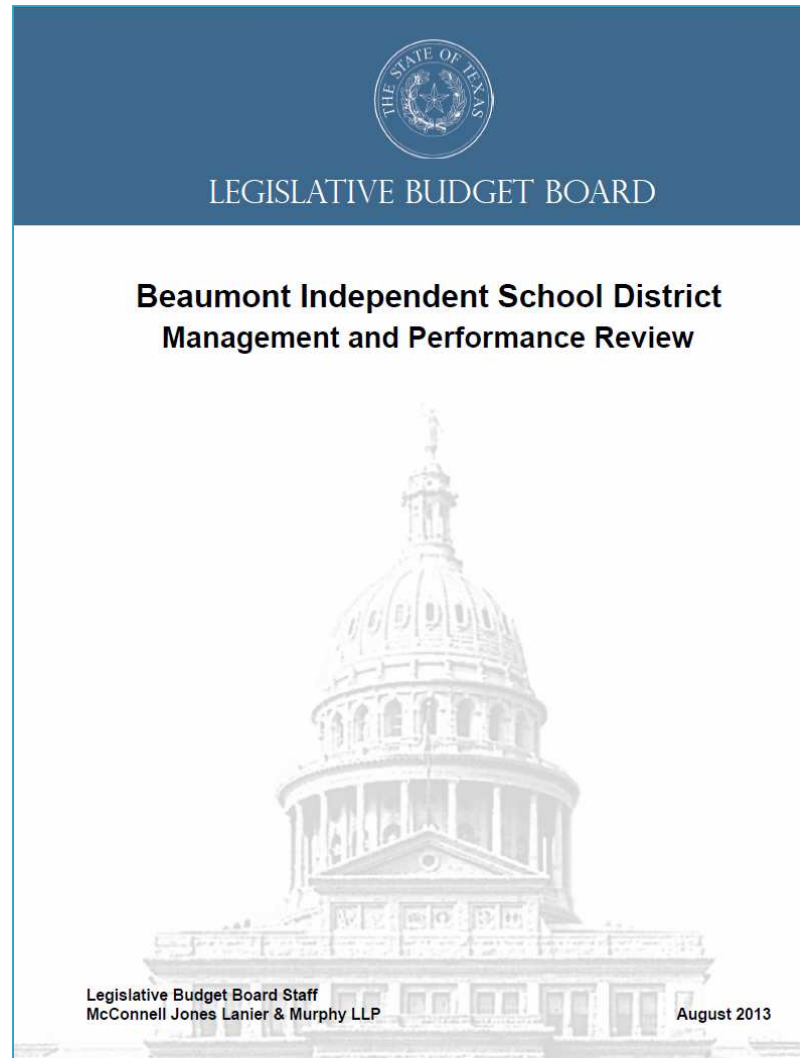
Comprehensive and Targeted



Publication– Where does the report go?

- ▶ District superintendent and staff
- ▶ Board of Trustees
- ▶ LBB Members
- ▶ Governor
- ▶ Members of the legislature representing the reviewed district
- ▶ Senate and House Education Committees
- ▶ Agency Representatives (Texas Education Agency, Texas Department of Agriculture, and the Texas School Safety Center)
- ▶ Published on LBB website
- ▶ Briefings to the Texas Education Agency, legislative representatives, and other agencies as needed

Comprehensive Review Example

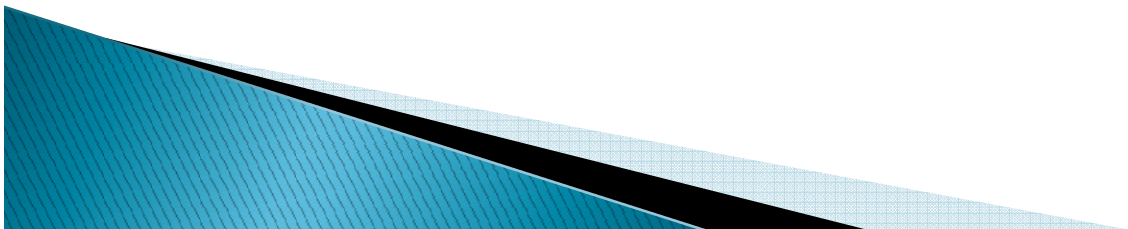


Example Finding and Recommendation

- ▶ EDUCATIONAL SERVICE DELIVERY FUNCTIONAL AREA
- ▶ *DISCIPLINARY ALTERNATIVE EDUCATION (REC. 6) – BEAUMONT ISD, 2013*

FINDING

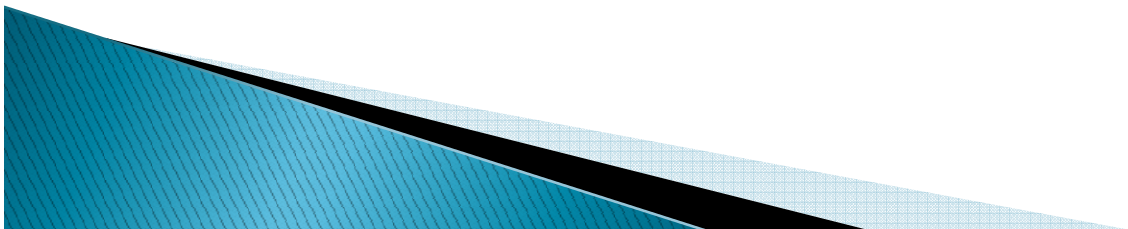
- ▶ Beaumont ISD lacks a process for effectively managing and monitoring its discipline alternative education campuses to ensure that students are properly transitioned to and from their home campuses and receive adequate academic instruction while in alternative education settings.



Disciplinary Alternative Education (con't.)

MAJOR CONCERNS

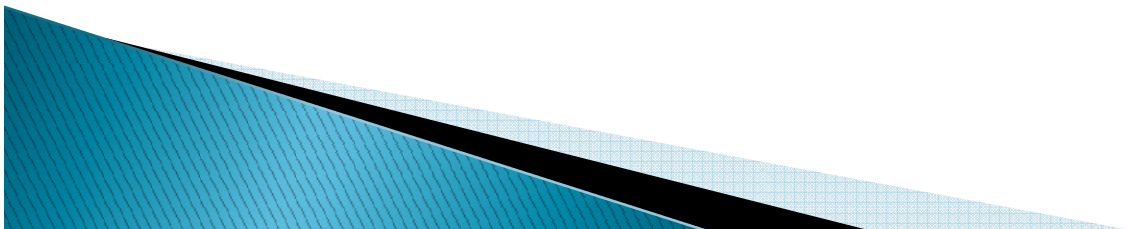
- ▶ A breakdown in communication between students' home schools and alternative campuses.
- ▶ No established, uniform process for transitioning students between their home campuses and alternative education facilities.
- ▶ Academic instruction at alternative disciplinary campuses was inconsistent with the district's adopted curriculum.



Disciplinary Alternative Education (con't.)

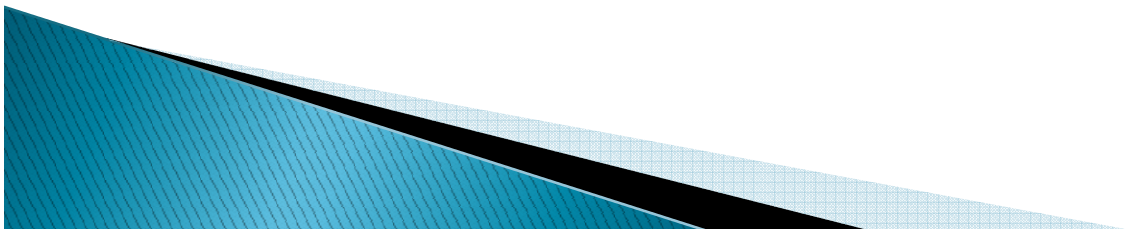
RECOMMENDATION

- ▶ Assign an existing staff position the responsibility for overseeing disciplinary alternative education. This oversight should include the review and assessment of the district's disciplinary programs from an academic and financial perspective, and the development of a research-based management system for disciplinary alternative education.
- ▶ Ideally, the staff member should have expertise in organizing, managing, and evaluating disciplinary education programs at the school and district level. The position should have the authority to address the issues identified in this report with staff and other districts, and align the program with best practices identified by the National Alternative Education Association. The position should also identify alternatives to assigning students out of school suspension placements.

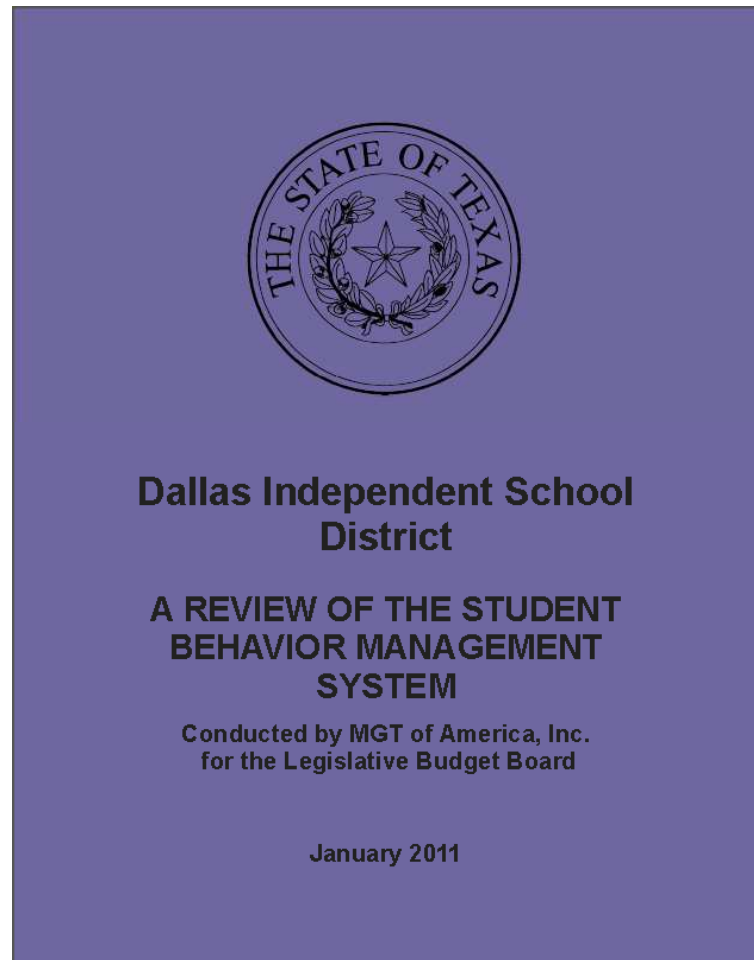


Targeted Reviews

- ▶ Curriculum
- ▶ Successful High Economically Disadvantaged School Districts
- ▶ Food Services
- ▶ Technology
- ▶ Transportation
- ▶ Facilities: Instructional Facilities Allotment (IFA)
- ▶ **Student Behavior Management**



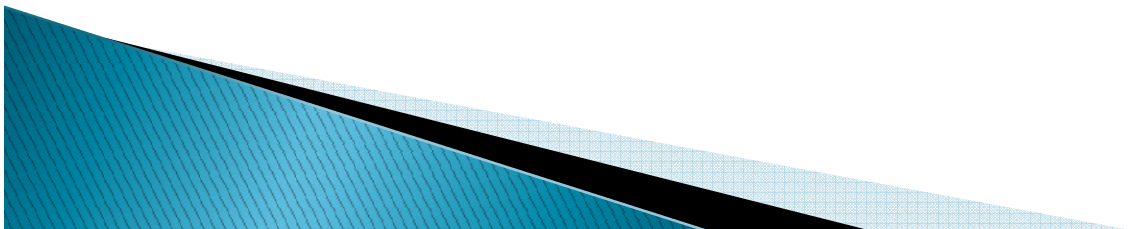
Targeted Review Example Report



Student Behavior Management Project

Background

- ▶ Chapter 37 of the Texas Education Code
- ▶ Required Districts to operate Disciplinary Alternative Education Programs (DAEP)
- ▶ Required Counties with populations of 125,000 or more to operate Juvenile Justice Alternative Education Programs(JJAEP)



Student Behavior Management Project

Purpose of Review

- ▶ Evaluate the continuity of alternative education through the multiple systems
 - ▶ In-school suspension (ISS) and DAEP are "owned" by school districts.
 - ▶ JJAEP is "owned" by a separate state agency, with connections to multiple school districts.
- ▶ Evaluate how the education systems worked together, including similarities and differences.
- ▶ Provide information to the Legislature and reports to the districts.
- ▶ Clarify the alternative education section of educational service delivery for our comprehensive reviews.

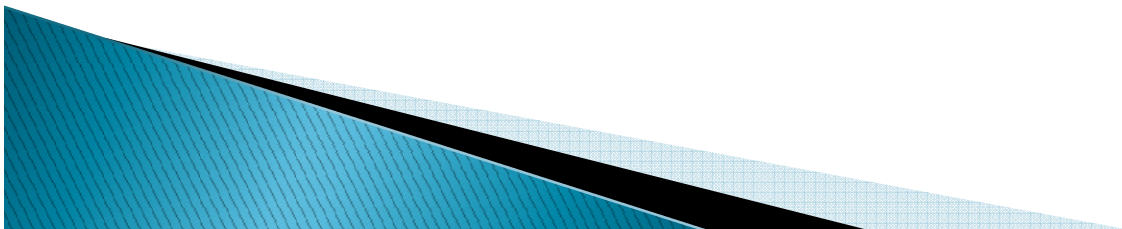
Student Behavior Management Project

Selection of Districts

- ▶ Districts in county with JJAEP
- ▶ Districts not in county with JJAEP
- ▶ Districts with varying program models

Six Districts

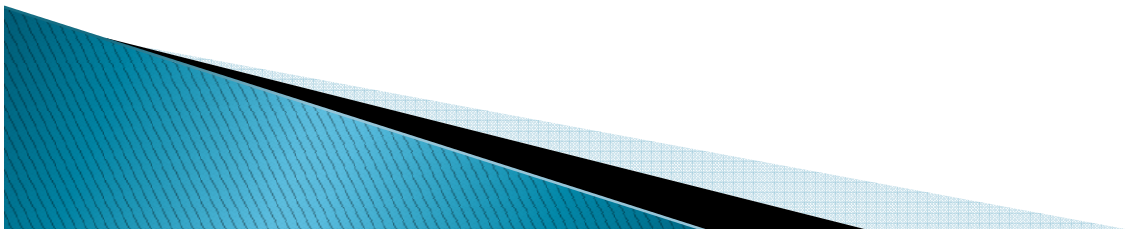
- ▶ Four JJAEP Districts – San Antonio ISD, Dallas ISD, Conroe ISD, and Fort Bend ISD
- ▶ Two Non– JJAEP Districts – Ingleside ISD and Amarillo ISD
- ▶ JJAEP Program models – boot camp, traditional, and therapeutic



Student Behavior Management Project

Common Best Practices Identified

- ▶ Developed and used the electronic Student Discipline System that provides efficiency and consistency in student discipline placements.
- ▶ Developed and used the View-IT program that is a two way communication system for regular educators and discipline alternative educators to maintain and share information about students placed in a discipline alternative setting.
- ▶ Provided daily communication to all staff related to students assigned to In-School Suspension (ISS) and the alternative education program.



Student Behavior Management Project

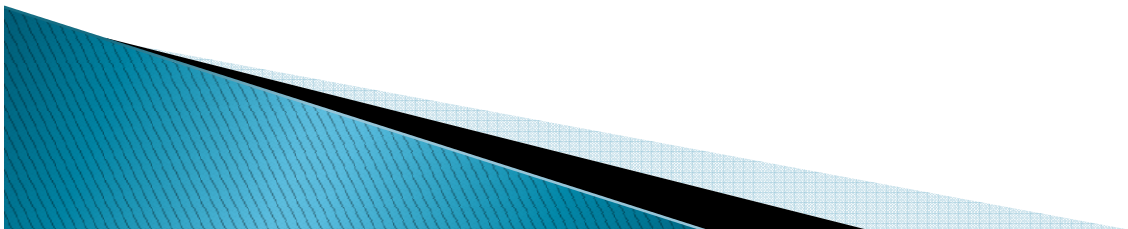
Common Best Practices Identified (con't.)

- ▶ Provided a facility and resources that reflect the district's high regard for the program needed for student success.
- ▶ Involved executive leadership in the development and implementation of the ISS and DAEP models which contributed to district-wide acceptance and success of the programs.
- ▶ Collaboration between the district and the county to provide substantial staffing, instructional, and facility resources to operate the JJAEP.
- ▶ Implemented a system-wide Positive Behavior System (PBS) that reduced overall behavior problems leading to office referrals and decreased the rate of special education student referrals.

Student Behavior Management Project

Common Finding

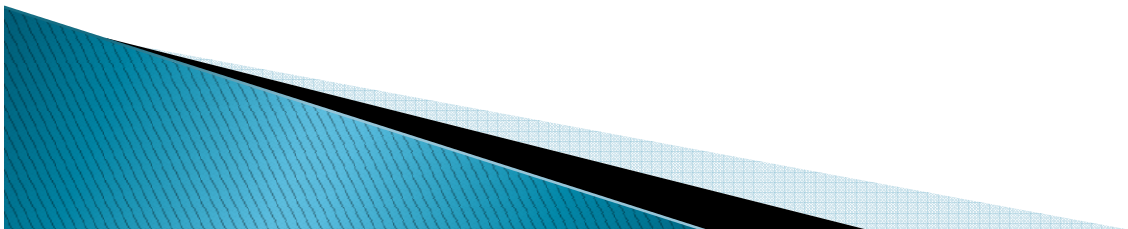
- ▶ Districts lacked an evaluation process that would help them identify opportunities to improve their programs.
- ▶ The impact of this resulted in failure to:
 - ▶ Provide direct instruction;
 - ▶ Align curriculum with the regular classroom;
 - ▶ Incorporate elective opportunities;
 - ▶ Measure student academic performance;
 - ▶ Provide regular classroom experiences (i.e. science labs);
 - ▶ Provide more training for teachers; and
 - ▶ Improve communication with home school.



Student Behavior Management Project

Common Recommendation

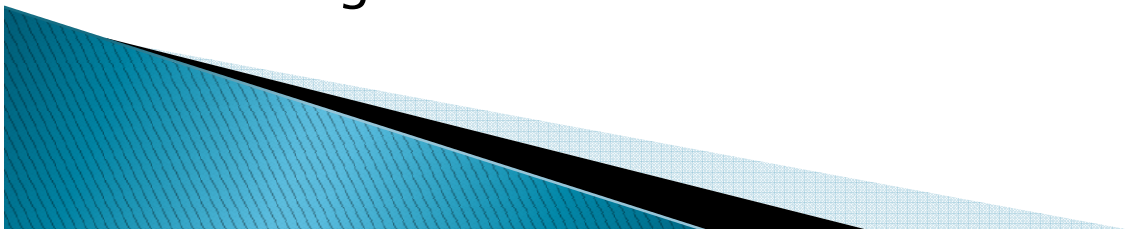
- ▶ Develop and implement a program evaluation process to measure the effectiveness of the student behavior management programs to include the in-school suspension, DAEP, and other programs that the district has developed.



Student Behavior Management Project

Common Finding

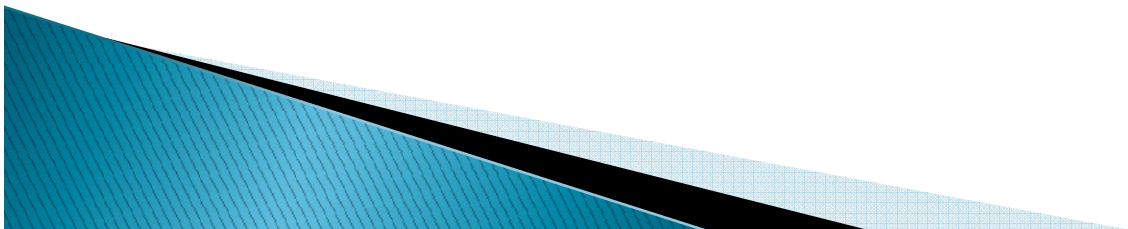
- ▶ Districts lack a complete process for transitioning students back to the regular classroom setting.
- ▶ The impact of this resulted in:
 - ▶ Teachers not being prepared for their students to return to their classroom.
 - ▶ Students not being successful when returning to the classroom.
 - ▶ Students experiencing other behavior incidents that cause them to be removed from the regular classroom again.



Student Behavior Management Project

Common Recommendation

- ▶ Develop districtwide written procedures for transitioning all students from alternative settings back to the regular classroom.



Student Behavior Management Project

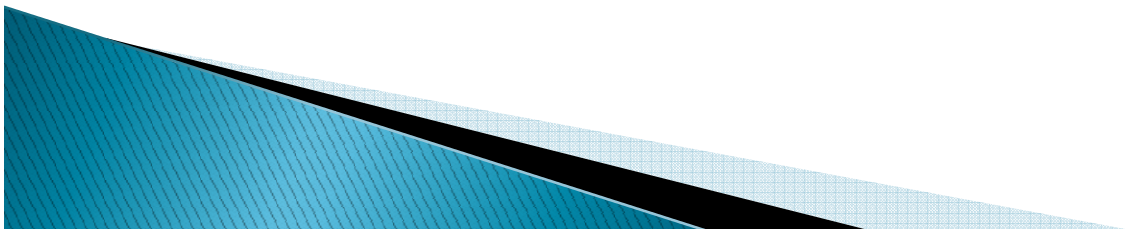
Common Finding

- ▶ Districts have not established specific guidelines and expectations for the operation and management of the In-School Suspension (ISS) programs.
- ▶ The impact of this resulted in:
 - ▶ Lack of counseling and tutoring for students;
 - ▶ Non-certified instructors in the ISS room;
 - ▶ Teachers not sending student assignments;
 - ▶ Lack of communication between ISS instructor and classroom teachers; and
 - ▶ Too many students being sent to ISS.

Student Behavior Management Project

Common Recommendation

- ▶ Develop clear procedures and training for In-School Suspension (ISS) instructors and monitors.



Contact Information

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Helpful Links

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LBB Website

<http://www.lbb.state.tx.us/>

Agency Performance Review Team Website

<http://www.lbb.state.tx.us/TeamPage.aspx?Team=AgyPerfRev>

Government Effectiveness and Efficiency Report Website

<http://www.lbb.state.tx.us/DocType.aspx?DocType=GEER>

Helpful Links

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School Performance Review Website

<http://www.lbb.state.tx.us/TeamPage.aspx?Team=SchoolPerfRev>

Beaumont ISD Management and Performance Review

http://www.lbb.state.tx.us/Documents/Publications/School_Performance_Review/700_Beaumont_ISD_Report.pdf

Student Behavior Management Review of Dallas ISD

http://www.lbb.state.tx.us/School_Perf_Review/Dallas%20ISD.pdf

Contact Information

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Robin Blackmon – robin.blackmon@lbb.state.tx.us