State Auditor's Office

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An Audit Report on

The Reading Program at the Juvenile Justice Department

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Overall Conclusion

The Juvenile Justice Department (Department) has developed a program to improve the reading skills of students in the schools that its correctional facilities operate, as required by Texas Education Code, Chapter 30. However, while five of its six schools have implemented the reading program, the school at the Evins Regional Juvenile Center has not.

To strengthen its reading program, the Department should improve its:

➢ Monitoring of each school's implementation of the reading program.

➢ Monitoring of individual student progress.

➢ Tracking of students entering and exiting the reading program.

➢ Gathering of student feedback.

➢ Administration of reading assessments to students.

In addition, the Department accurately reported performance measures related to its reading program, but it should improve data input and information technology controls to help ensure the accuracy of those performance measures.

The Department also has implemented controls to facilitate recording accurate school attendance information. However, its schools did not consistently implement those controls. In addition, some schools reported attendance information that may not accurately reflect whether certain students received educational instruction.

Auditors communicated other, less significant issues to the Department separately in writing.

Background Information

The Juvenile Justice Department (Department) operates six correctional facilities in Texas. Each facility operates a school that incarcerated youth are required to attend until they achieve certain academic benchmarks.

As of May 15, 2013, 1,216 students were enrolled in the schools at the six facilities. During fiscal year 2012, the Department and its predecessor agency, the Texas Youth Commission, spent a combined total of $19.3 million on its educational programs.

House Bill 3689 (81st Legislature, Regular Session) required the Department to implement a comprehensive program to improve student reading and established certain requirements for that program in the Texas Education Code (see Appendix 2 for additional details).

The Department's six correctional facilities include:

- The Corsicana Residential Treatment Center in Corsicana, Texas.

- The Evins Regional Juvenile Center in Edinburg, Texas.

- The Gainesville State School in Gainesville, Texas.

- The Giddings State School in Giddings, Texas.

- The McLennan County State Juvenile Correctional Facility in Mart, Texas.

- The Ron Jackson State Juvenile Correctional Complex in Brownwood, Texas.

Key Points

The Department has implemented a comprehensive reading program as required by Texas Education Code, Chapter 30, at five of its six schools, but it should improve its monitoring of student progress and instructional quality.

The Department worked with the non-profit Meadows Center for Preventing Educational Risk to develop and implement a comprehensive program to improve the reading skills of its students. At the Corsicana Residential Treatment Center, the Gainesville State School, the Giddings State School, the McLennan County State Juvenile Correctional Facility, and the Ron Jackson State Juvenile Correctional Complex, the schools generally provided instruction based on the Department's curriculum, placed students in reading classes based on their reading abilities, and assessed student reading abilities through the Department's series of reading-specific assessments. However, the Department should improve its monitoring of student progress and instructional quality at all of its schools.

The school at the Evins Regional Juvenile Center did not implement the Department's reading program.

While the school at the Evins Regional Juvenile Center had 60-minute class periods devoted to reading instruction, those classes did not adhere to the Department's established reading program structure. That facility's school also did not ensure that it placed students in appropriate reading classes based on their reading abilities or assess student reading abilities through the Department's series of reading assessments. The Department did not detect or correct the weaknesses in the reading program at the school at the Evins Regional Juvenile Center because the Department has not established a comprehensive strategy to monitor the implementation status of the reading program at each school.

Two performance measures related to the Department's reading program were certified with qualification.

The Department accurately reported two key performance measures related to its reading program: (1) Percent Reading at Grade Level at Release and (2) Percent of Reading Level Gain. However, because of weaknesses in controls over data accuracy and controls for the information systems the Department uses to calculate and report the performance measures, both of those performance measures were certified with qualification. The Department also should strengthen its procedures related to the collection, calculation, and review of performance measures.

The Department has established controls over recording and reporting student attendance, but it should strengthen those controls to enhance the accuracy of its attendance records.

The Department has established attendance codes that are specific to its instructional environment and enable it to determine whether a student is "absent" or "present" for the purpose of determining daily attendance. However, it has opportunities to improve its procedures over attendance recording and to strengthen its daily attendance reconciliation process. Additionally, attendance records for students in the security and redirect program units at the Gainesville State School, the Giddings State School, and the McLennan County State Juvenile Correctional Facility did not always accurately reflect whether those students received educational services.

The Department should strengthen controls over key information systems related to student assessment and attendance information.

The Department has established policies and procedures for passwords, account management, and change management. However, the Department should strengthen controls over access and change management for its key information systems.

Summary of Management's Response

The Department agreed with the recommendations in this report.

Summary of Information Technology Review

Auditors reviewed general controls and key automated controls for the Department's Correctional Care System and the SAS program the Department uses to calculate performance measures. Auditors also reviewed access controls for Texas Gradebook and the Internet-based Texas Computer Cooperative, which the Department uses to record and report attendance, and the Automated Budget and Evaluation System of Texas, which the Department uses to report performance measures. As discussed in Chapter 4, the Department should strengthen access and change management controls related to those systems.

Summary of Objectives, Scope, and Methodology

The objectives of this audit were to:

➢ Determine whether the Department complied with selected provisions of Texas Education Code, Chapter 30, which requires the Department to implement a comprehensive plan to improve the reading skills of students.

➢ Determine whether the Department's reporting of performance measure results for reading achievement was accurate and complete.

➢ Determine whether the Department designed and implemented effective processes and related controls to help ensure compliance with Department policy and state law governing student attendance.

The scope of this audit covered September 1, 2011, through March 31, 2013, and included a review of the Department's reading program implementation and its attendance processes and controls at the six schools the Department's facilities operate across the state. In addition, auditors tested two performance measures related to reading achievement.

The audit methodology included collecting information and documentation from the Department, analyzing and evaluating student reading and attendance data, performing selected tests and other procedures, observing classes, and interviewing staff at the Department's schools and at the Department's central office. Auditors assessed the reliability of student reading and attendance data by (1) reviewing general and application controls over key systems, (2) comparing data to other sources of information, (3) analyzing key data elements for reasonableness and completeness, (4) interviewing Department employees knowledgeable about the data, and (5) tracing student Test of Adult Basic Education (TABE) data to test score sheets. Auditors determined that key data was sufficiently reliable for the purposes of this audit. However, data related to TABE dates was not sufficiently reliable; as a result, auditors did not draw conclusions solely from that date field.

Contents

Detailed Results

The Department Has Implemented a Comprehensive Reading Program as Required by Statute at Five of Its Six Schools, But It Should Improve Its Monitoring of Student Progress and Instructional Quality

The Juvenile Justice Department (Department) worked with the non-profit Meadows Center for Preventing Educational Risk (Meadows Center) to develop and implement a peer-reviewed, research-based, comprehensive reading program to improve the reading skills of the students in the schools that Department facilities operate, as required by Texas Education Code, Chapter 30. The reading program relies on a series of assessments to evaluate students' reading levels and place students in one of three groups according to their reading abilities. The reading program emphasizes five key areas for developing reading skills: phonemic awareness, phonics, vocabulary, fluency, and comprehension.

The Department is required to provide 60 minutes of reading instruction each school day to students in its reading program. The Department also requires its teachers to incorporate 10 minutes of reading instruction in each non-reading class, to provide a total of at least 60 minutes of reading instruction to all students each school day. The Department uses different strategies for each reading ability group. For example, it (1) incorporates reading strategies into non-reading, general education classes, (2) uses the Reading Excellence: Word Attack and Rate Development (REWARDS) program the Meadows Center recommended, and (3) uses a phonics-based curriculum. Table 1 presents the number of students enrolled in the schools in the Department's facilities.

Table 1

Student Enrollment in Department-run Schools (as of May 15, 2013)	
Facility	**Students Enrolled at Facility School**
Corsicana Residential Treatment Center	92
Evins Regional Juvenile Center	143
Gainesville State School	278
Giddings State School	247
McLennan County State Juvenile Correctional Facility [a]	353
Ron Jackson State Juvenile Correctional Complex [a]	103
Total	1,216
[a] Numbers include students enrolled in orientation and assessment programs.	

Source: The Department.

Reading Program at Five Department Facilities

With the exception of the Evins Regional Juvenile Center, Department schools have implemented the Department's reading program. Based on auditor observations, the schools at the Corsicana Residential Treatment Center, the Gainesville State School, the Giddings State School, the McLennan County State Juvenile Correctional Facility, and the Ron Jackson State Juvenile Correctional Complex:

- Had teachers who provided instruction that engaged students and incorporated strategies to improve phonemic awareness, phonics, vocabulary, fluency, and comprehension.

- Generally placed students in the appropriate reading class. Auditors sampled 66 students who were enrolled in the reading program and determined that the Department had placed 63 (95 percent) of those students in the appropriate class based on the results of reading assessments and other factors.

- Generally assessed student reading performance through a series of reading assessments. Auditors sampled 57 students who should have received assessments and determined that the Department administered its reading assessments to 49 (86 percent) of those students.

- Provided at least 60 minutes a day of specialized reading instruction by trained educators who used the instructional techniques the Meadows Center designed for preventing educational risk.

- Generally integrated 10 minutes of reading instruction into other core course areas to provide a total of 60 minutes of reading instruction for all students each school day.

- Provided specialized training to their reading teachers, and generally monitored those teachers through classroom observations.

Reading Program at the Evins Regional Juvenile Center

The school at the Evins Regional Juvenile Center did not implement the reading program. While that facility's school had 60-minute class periods devoted to reading instruction, those classes did not adhere to the Department's established reading program structure. Based on auditor observations, instruction at that facility's school did not incorporate Department materials or consistently include elements related to phonemic awareness, phonics, vocabulary, fluency, and comprehension.

The school at the Evins Regional Juvenile Center also did not ensure that all students were enrolled in the reading program as required based on their Test of Adult Basic Education (TABE) scores. Specifically, it had not placed 3 (17 percent) of 18 students auditors sampled in the reading program when those

students' TABE scores indicated that they should be in the reading program. In addition, it did not establish reading classes based on students' reading levels because it did not separate reading classes by reading level; instead, its reading classes contained students with different reading levels, as well as students who were taking reading classes as electives. As a result, the school at the Evins Regional Juvenile Center could not provide instruction specific to each student's reading abilities.

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Department Reading Assessments

The Department assesses student reading abilities through a variety of assessments. New students are initially incarcerated in an orientation and assessment facility, where they take an initial Test of Adult Basic Education (TABE). (The Department also periodically administers those tests throughout each student's incarceration.)

The Department also uses a series of reading assessments to address specific reading abilities and monitor progress throughout students' enrollment in the reading program. Those assessments vary by facility, but can include:

- AIMSWeb (an assessment for universal screening and progress monitoring of reading).
- Test of Word Reading Efficiency (a measure of word reading accuracy and fluency).
- Woodcock-Muñoz Language Survey (a measure of language proficiency in English language learners).

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The school at the Evins Regional Juvenile Center also did not assess students through the Department's series of reading assessments (see text box for additional details on those assessments). Auditors sampled 14 students who were enrolled in the reading program at that school and it had not assessed those students using the Department's reading-specific assessments, which should be used to monitor students' progress throughout the reading program.

The Department did not detect or correct the weaknesses in the reading program at the school at the Evins Regional Juvenile Center because it has not established a comprehensive strategy to monitor the implementation status of the reading program at each school. Although the Department conducted observations of that school's reading instructor, those observations did not include components specific to the Department's reading program.

Auditors conducted observations and performed audit testing at the school at the Evins Regional Juvenile Center during May 2013. The Department terminated the employment of that facility's reading instructor in July 2013. As of July 25, 2013, the Department had not yet hired another reading instructor.

Department Monitoring of the Reading Program

The Department should improve its monitoring of student progress and instructional quality at the schools in all of its facilities. Specifically:

- The Department has not established a process to monitor or track performance on the student reading assessments it uses to monitor progress through the reading program. (Those assessments are specific to the program, and they are separate from TABE assessments, which are administered to all students.) It also does not have a method to (1) monitor reading classes to ensure that students are placed in the correct class based on the results of those reading assessments and other factors or (2) track students entering and exiting the reading program.

- The Department's ability to monitor the reading program and track students entering and exiting the reading program is hindered by

inaccuracies in its Correctional Care System (CCS). Specifically, auditors identified inaccuracies in TABE scores, TABE test dates, and the specialized reading program indicator in CCS. Those inaccuracies existed because the Department has not established adequate controls to ensure the accuracy of data entry for that information. The Department also uses CCS data to calculate performance measures related to its reading program (see Chapter 2 for additional details).

- The Department does not monitor classes to ensure that teachers consistently include 10 minutes of reading instruction in non-reading general education classes. The Department's tool for teacher observations provides feedback on a variety of aspects of teacher performance; however, it does not incorporate observation of the Department's required 10 minutes of reading instruction.

- The Department could not provide evidence that it had conducted observations of one reading teacher at the Evins Regional Juvenile Center (who was employed only during the 2011-2012 school year) and two reading teachers at the McLennan County State Juvenile Correctional Facility.

While the Department should address the weakness detailed above, it has developed tools for monitoring the effectiveness of its reading program on a monthly basis and an annual basis as required by Texas Education Code, Chapter 30. The Department conducts monthly analyses of student TABE scores using data in CCS. To help monitor the effectiveness of its reading program, on an annual basis, the Department also summarizes and separates that data by gender, ethnicity, the need for special education services, and the need for English as a second language services.

However, the Department has not consistently gathered student feedback on the reading program as required by Texas Education Code, Chapter 30. Although the Department collected feedback from 54 students at the Gainesville State School in 2012, it did not collect feedback from students at the schools at its other five facilities between September 1, 2011, and March 31, 2013. While the Department asserted that its predecessor agency, the Texas Youth Commission, had conducted a survey of all facilities in 2010, it was not able to provide detailed support for the results of that survey.

The Department also has not consistently administered tests to measure a student's reading progress between 15 and 30 days prior to the student's release, as required by Texas Education Code, Chapter 30. The Department measures student reading progress for all students using the TABE. However, the Department's policy conflicts with the Texas Education Code requirement because that policy states that the Department should not administer a TABE test prior to exit if a student has completed a TABE assessment within the last six months. As a result, for 52 (80 percent) of 65 students tested who were

discharged from a Department facility between September 1, 2011, and March 31, 2013, the Department did not administer a TABE test 15-30 days prior to the students' release.

Recommendations

To strengthen its reading program in the school at the Evins Regional Juvenile Center, the Department should:

- Revise the reading class structure to provide reading instruction based on student reading levels.

- Conduct intensive monitoring on a quarterly basis until the reading program at that facility meets all requirements.

To strengthen its reading program in the schools at all of its facilities, the Department should:

- Develop and implement a process to help ensure that all students who meet the criteria for participation in its reading program are enrolled in the appropriate reading class based on their reading level or are appropriately exempted from the reading program.

- Require each of the schools at its facilities to consistently document the reasons students exit from the reading program.

- Require the schools at its facilities to consistently administer its series of reading assessments to students.

- Consistently conduct classroom observations in the schools at its facilities to help ensure instructional quality.

- Strengthen its monitoring of reading program enrollment and assessments to help ensure that the schools at its facilities comply with requirements and have implemented the reading program.

- Implement controls to help ensure the accuracy of data in CCS related to assessment information and student participation in its reading program.

- Assess the effectiveness of its reading program through a student self-reporting instrument.

- Revise its procedures to help ensure that the schools at its facilities administer its series of reading assessments between 15 and 30 days prior to a student's release.

Management's Response

To strengthen its reading program in the school at the Evins Regional Juvenile Center (ERJC), the Department should:

- *Revise the reading class structure to provide reading instruction based on student reading levels.*

  The department agrees. We will review all student reading levels and schedule students appropriately by designated program Tier.

  Responsible Party*: ERJC Principal and School Counselor*

  Estimated Completion Date*: March 31, 2014*

- *Conduct intensive monitoring on a quarterly basis until the reading program at that facility meets all requirements.*

  The department agrees. The agency has hired a Reading Specialist who will oversee program operations and fidelity of implementation. A monitoring schedule will be implemented.

  Responsible Party*: TJJD Reading Specialist*

  Estimated Completion Date*: March 31, 2014*

To strengthen its reading program in the schools at all of its facilities, the Department should:

- *Develop and implement a process to help ensure that all students who meet the criteria for participation in its reading program are enrolled in the appropriate reading class based on their reading level or are appropriately exempted from the reading program.*

  TJJD agrees. TJJD will develop and implement processes for ensuring that all students who meet the criteria for participation in the reading program are enrolled in the appropriate Tier based on their reading level or are appropriately exempted. This will include training for reading teachers, principals, and school counselors to standardize all processes.

  Responsible Party*: TJJD Reading Specialist*

  Estimated Completion Date*: March 31, 2014*

- *Require each of the schools at its facilities to consistently document the reasons students exit from the reading program.*

  TJJD agrees. TJJD will develop and implement processes for ensuring that all students who meet the criteria for exiting the reading program are appropriately documented. This will include training for reading teachers, principals, and school counselors to standardize all processes.

  Responsible Party*: TJJD Reading Specialist*

  Estimated Completion Date*: March 31, 2014*

- *Require the schools at its facilities to consistently administer its series of reading assessments to students.*

  TJJD agrees. TJJD will work in collaboration with higher education entities and education regional service centers to continue to identify appropriate assessment tools and train reading teachers in administration of new and existing student assessments. TJJD will standardize and monitor the documentation of administered assessments to ensure students are being assessed appropriately.

  Responsible Party: *TJJD Reading Specialist*

  Estimated Completion Date: *March 31, 2014*

- *Consistently conduct classroom observations in the schools at its facilities to help ensure instructional quality.*

  TJJD agrees. TJJD Principals will submit a proposed schedule for classroom observations which will be stored in a shared electronic folder that can be reviewed by supervisors and central office support staff. Principals and appropriate central office staff will utilize a variety of observation tools including the Quick Visit Tool, which requires a principal and teachers to observe common classroom standards, and weekly submit a Quick Visit Summary which summarizes each week's observations.

  Responsible Party: *TJJD Assistant Superintendent of Education (Director 1 of Education Services)*

  Estimated Completion Date: *October 8, 2013 and ongoing*

- *Strengthen its monitoring of reading program enrollment and assessments to help ensure that the schools at its facilities comply with requirements and have implemented the reading program.*

  TJJD agrees. The agency has hired a Reading Specialist who will oversee program operations and fidelity of implementation. A monitoring schedule

will be implemented. TJJD will work in collaboration with higher education entities and education regional service centers to continue to identify appropriate assessment tools and train reading teachers in administration of new and existing student assessments. TJJD will standardize and monitor the documentation of administered assessments to ensure students are being assessed appropriately.

Responsible Party*: TJJD Reading Specialist*

Estimated Completion Date*: March 31, 2014*

- *Implement controls to help ensure the accuracy of data in CCS related to assessment information and student participation in its reading program.*

   TJJD agrees. In collaboration with the divisions of Information Systems and Technology and Research, controls to ensure the accuracy of data in CCS related to assessment information and student participation in the reading program will be implemented.

   Responsible Party*: TJJD Assistant Superintendent of Education (Director 1 Education Services).*

   Estimated Completion Date*: March 31, 2014*

- *Assess the effectiveness of its reading program through a student self-reporting instrument.*

   TJJD agrees. We will develop and administer a student self-reporting instrument to aid in evaluating the effectiveness of the reading program.

   Responsible Party*: TJJD Reading Specialist*

   Estimated Completion Date*: March 31, 2014*

- *Revise its procedures to help ensure that the schools at its facilities administer its series of reading assessments between 15 and 30 days prior to a student's release.*

   TJJD agrees. We will review and revise policies to ensure that students are appropriately assessed within 15-30 days of release by monitoring Minimum Length of Stay (MLOS) of enrolled students and administering the appropriate assessment at the appropriate time.

   Responsible Party*: TJJD Reading Specialist*

   Estimated Completion Date*: March 31, 2014*

Two Key Performance Measures Related to the Department's Reading Program Were Certified With Qualification

The Department accurately reported both performance measures related to its reading program that auditors tested. However, the performance measures were certified with qualification because of inaccuracies in CCS data discussed in Chapter 1 and weaknesses in information technology controls discussed in Chapter 4.

Additionally, the Department should strengthen its procedures related to the collection, calculation, and review of performance measures. The Department has informal procedures that address the calculation and reporting of performance measures; however, it has not formally adopted those procedures. The informal procedures also do not adequately identify the initial source of the data that the Department uses to calculate the performance measures. Not having formally adopted, detailed procedures increases the risk that the Department could calculate and report incorrect performance measure results.

Table 2 summarizes the certification results for the two key performance measures tested.

Table 2

Juvenile Justice Department (Agency No. 644)				
Related Objective or Strategy, Classification	Description of Performance Measure	Fiscal Year	Results Reported in the Automated Budget and Evaluation System of Texas (ABEST)	Results [a]
B, Outcome	Percent Reading at Grade Level at Release	2012	16.27%	Certified with Qualification
B.1.3, Output	Percent of Reading Level Gain	2012	59.04%	Certified with Qualification
		2013 – First Two Quarters	57.73%	Certified with Qualification

[a] A performance measure is **certified** if reported performance is accurate within plus or minus 5 percent of actual performance and if it appears that controls to ensure accuracy are in place for collecting and reporting performance data.

A performance measure is **certified with qualification** when reported performance appears accurate but the controls over data collection and reporting are not adequate to ensure continued accuracy. A performance measure is also certified with qualification when controls are strong but source documentation is unavailable for testing. A performance measure is also certified with qualification if agency calculation of performance deviated from the measure definition but caused no more than a 5 percent difference between the number reported to ABEST and the correct performance measure result.

A performance measure is **inaccurate** when the actual performance is not within 5 percent of reported performance, or when there is more than a 5 percent error rate in the sample of documentation tested. A performance measure is also inaccurate if the agency's calculation deviated from the measure definition and caused more than a 5 percent difference between the number reported to ABEST and the correct performance measure result.

A **factors prevented certification** designation is used if documentation is unavailable and controls are not adequate to ensure accuracy. This designation also will be used when there is a deviation from the performance measure definition and the auditor cannot determine the correct performance measure result.

Recommendation

The Department should adopt and implement formal procedures for the collection, calculation, and review of performance measures.

Management's Response

TJJD agrees. The Agency will formally document and adopt procedures related to the collection, calculation and reporting of education performance measures. Calculation methodologies and data used in the calculation of performance measures are guided by legislative reporting requirements. Informal procedures detailing processes and statistical programming used to "pull" data from agency databases and calculate performance measures will be formalized as will processes to review changes to these procedures which most often occur biennially.

Responsible Party*: Director of Research and Planning*

Estimated Completion Date*: March 31, 2014*

The Department Has Established Controls Over Recording and Reporting Student Attendance, But It Should Strengthen Those Controls to Enhance the Accuracy of Its Attendance Records

Attendance Process

Department teachers record students as "present" or "absent" each period using the Department's automated system for recording attendance, Texas Gradebook (txGradebook), or on hard-copy roster print-outs from that system.

Attendance clerks at each school use the rosters from txGradebook, along with other records, to record daily attendance based on attendance codes in the Internet-based Texas Computer Cooperative System (iTCCS). iTCCS is the Department's official attendance record.

The Department reports attendance information to the Texas Education Agency through the Public Education Information Management System (PEIMS) annually. That attendance information affects the Department's Foundation School Program funding each year.

Although the Department has established controls over recording and reporting student attendance, it should strengthen certain controls to enhance the accuracy of its attendance records. The accuracy of attendance records is important because it affects the amount of Foundation School Program funds the Department receives each year (see text box for additional details).

The Department's policies require it to record attendance in compliance with the Texas Education Agency's requirements. To facilitate compliance with those requirements, the Department has established attendance codes in the automated system it uses to track and report student attendance, the Internet-based Texas Computer Cooperative Software (iTCCS). The attendance codes enable the Department to record attendance specific to the instructional environment and determine whether a student is counted as either "present" or "absent" for the purposes of determining daily attendance (see selected attendance codes in Table 3).

Table 3

Selected Department Attendance Codes in iTCCS		
Attendance Code	**Description of Code**	**Daily Attendance Status for Code**
P	Present in classroom	Present
D	Student in dorm without teacher	Absent
I	Student is sick/confined	Absent
L	Student refused education services	Present
M	Student receiving medical treatment or with doctor	Present
N	Student testing	Present
S [a]	Student in security with teacher available	Present
Z	Student in security - no teacher available	Absent

[a] This code includes students in each facility's redirect program, unless those students leave the program to attend general education classes outside of the security unit.

Source: The Department.

Recording Student Attendance

The Department has procedures to facilitate the accurate recording of attendance; however, it has opportunities to improve those procedures. Auditors observed that Department teachers did not consistently or correctly record student attendance. Specifically:

- For 3 (12 percent) of 24 classes observed, the teachers did not correctly record the number of students present.

- For 8 (38 percent) of 21 classes observed and from which students were absent, the teachers did not record the absent students' location. Although Department policy does not require teachers to record that information, facility attendance clerks use that information to reconcile daily student attendance records (reconciliations are discussed in more detail below).

Attendance Procedures

While the Department's procedures related to attendance provide guidance on attendance codes and establish requirements for recording attendance, those procedures should be strengthened to provide additional guidance to teachers and campus staff and to enhance consistency in attendance recording across the Department's schools. The Department's predecessor agency, the Texas Youth Commission, adopted the Department's formal procedures related to attendance in 2006. Although the Department has drafted some working procedures that include more recent updates, it had not formally adopted those procedures during the audit scope.

Reconciliation of Attendance Information

The Department has implemented a daily attendance reconciliation process to improve the accuracy of attendance reporting. To conduct those reconciliations, attendance clerks reconcile attendance rosters that teachers complete with other facility documents, such as student movement logs. However, the Department's six schools have not consistently implemented that process, which has resulted in errors in its attendance information going undetected. Auditors tested 30 attendance reconciliations that attendance clerks completed at each of the Department's schools and identified the following errors:

- For 15 (50 percent) of the 30 reconciliations tested, the attendance clerks did not use a reconciliation checklist. Those checklists help ensure that an attendance clerk reviewed information that is relevant to coding student attendance. Schools at three facilities—the McLennan County State Juvenile Correctional Facility, the Corsicana Residential Treatment Center, and the Gainesville State School—had not incorporated that checklist into their attendance reconciliation process.

- For 13 (43 percent) of the 30 reconciliations tested, support for the reconciliations was not sufficient to determine the correct attendance codes for students. For example, some of those reconciliations did not include student movement logs, security logs, or infirmary logs. Those logs are necessary to determine a student's actual location, which the Department should report in iTCCS. The schools at four facilities—the McLennan County State Juvenile Correctional Facility, the Gainesville State School, the Corsicana Residential Treatment Center, and the Giddings State School—did not always retain sufficient support for those reconciliations.

- For 28 (93 percent) of the 30 reconciliations tested, the Department made at least one attendance coding error on the reconciliation.

As a result of the weaknesses in its reconciliation process, for 5 (7 percent) of 70 student attendance records tested, the Department either (1) could not provide support for at least one period of student attendance for the date tested or (2) incorrectly coded student attendance.

Attendance Records for Students in a Security Unit or Redirect Program Unit

Each Department facility operates a security unit, or segregation program. In addition, five facilities also operate a redirect program unit, which the Department describes as a highly structured program designed to promote violence reduction and skill-building as a means of increasing campus safety. In both the security and redirect program units, the Department provides educational services to students separately from its general education environment, unless it determines those students are able to attend class in the general education environment. Students in a security unit or a redirect program unit are assigned an attendance code of "S" ("student in security") as noted in Table 3 above and are considered "present" for the purposes of daily attendance.

The Department documents the activities of students in a security unit or a redirect program unit on a variety of forms and teacher logs, including the Department's official records for those students: the form 216 for students in a security unit and the form 519 for students in a redirect program unit. However, attendance records for students in a security unit or a redirect program unit at the Gainesville State School, the McLennan County State Juvenile Correctional Facility, and the Giddings State School did not always accurately reflect whether those students received educational services. The Department either could not provide evidence that it offered educational services to or did not provide educational services to 32 (48 percent) of 66 students tested at those three facilities who were recorded as "student in security" for at least four class periods on the date tested. Specifically:

> **Student Education in a Security Unit or Redirect Program Unit**
>
> Each facility considers different factors in determining whether students are offered educational services when students are in a security unit or a redirect program unit.
>
> For example, some facilities provide educational services to students in a security unit or a redirect program unit only if (1) the students were in security the night before or (2) the students have met certain behavioral requirements. Other facilities offer educational services to all students in a security unit or a redirect program unit.
>
> Other factors that affect whether students in a security unit or a redirect program unit receive educational services include the number of students in those units and the amount of space and other resources available to provide educational services.

- The Department was not able to provide forms or other evidence that it offered educational services to 22 (69 percent) of those 32 students.

- For 10 (31 percent) of those 32 students, the Department indicated that those students were not provided educational services on the date that auditors tested.

For 36 students tested at the Corsicana Residential Treatment Center, the Evins Regional Juvenile Center, and the Ron Jackson State Juvenile Correctional Facility, the Department provided evidence that it offered educational services to each student it recorded as "student in security."

Recommendations

The Department should:

- Provide additional training to teachers and attendance clerks on attendance coding to improve the accuracy of attendance records.

- Formally adopt updated procedures related to attendance.

- Consistently evaluate teacher-reported attendance for reasonableness through its attendance reconciliation process.

- Ensure that daily attendance reconciliations consistently include a review of all supporting documentation, including all student movement logs, to improve the accuracy of attendance records.

- Report attendance information for students in a security unit or a redirect program unit that accurately reflects whether those students received educational services.

Management's Response

The Department should:

- *Provide additional training to teachers and attendance clerks on attendance coding to improve the accuracy of attendance records.*

  TJJD agrees. In collaboration with ESC XIII, training is currently scheduled for teachers and attendance clerks on attendance coding.

  Responsible Party: TJJD PEIMS Coordinator

  Estimated Completion Date: November 30, 2013

- *Formally adopt updated procedures related to attendance.*

  TJJD agrees. We will submit revisions to formal procedures to appropriate agency divisions for publication and adoption.

  Responsible Parties: TJJD PEIMS Coordinator and Superintendent of Education (Sr. Director of Education Services)

  Estimated Completion Date: June 30, 2014

- *Consistently evaluate teacher-reported attendance for reasonableness through its attendance reconciliation process.*

  TJJD agrees. We will review attendance reconciliation processes and implement appropriate evaluation tools to ensure fidelity of implementation.

  Responsible Party: TJJD PEIMS Coordinator

  Estimated Completion Date: March 31, 2014

- *Ensure that daily attendance reconciliations consistently include a review of all supporting documentation, including all student movement logs, to improve the accuracy of attendance records.*

  TJJD agrees. In collaboration with the divisions of Youth Services and Medical, training will be provided to staff members responsible for supporting documentation to ensure consistent and accurate reconciliation of attendance records.

  Responsible Parties: TJJD PEIMS Coordinator and TJJD Assistant Superintendent of Education (Director 1 Education Services)

  Estimated Completion Date: November 30, 2013

- *Report attendance information for students in a security unit or a redirect program unit that accurately reflects whether those students received educational services.*

  TJJD agrees. In collaboration with the Texas Education Agency and ESC XIII, we will develop appropriate coding systems and implement procedures to accurately report whether students in a security unit or a redirect program unit receive educational services.

  Responsible Parties: Superintendent of Education (Sr. Director of Education Services) and PEIMS Coordinator

  Estimated Completion Date: March 31, 2014

The Department Should Strengthen Controls Over Key Information Systems Related to Student Assessment and Attendance Information

The Department has established policies and procedures over passwords, account management, and change management that generally comply with the requirements for information security in Title 1, Texas Administrative Code, Chapter 202. In addition, the Department has established appropriate password controls for CCS (the system in which the Department stores information such as students' reading assessment scores) and for the server that houses the SAS program the Department uses to calculate performance measures.

However, the Department should strengthen certain controls in the areas of access and change management.

Access Controls

The Department has not established sufficient user access controls over:

- CCS.

- Texas Gradebook (txGradebook) and the Internet-based Texas Computer Cooperative Software (iTCCS), both of which the Department uses to record student attendance.

- The Automated Budget and Evaluation System of Texas (ABEST), which the Department uses to report performance measure results.

Specifically, auditors identified the following:

- The Department had not restricted access to CCS to current employees with a business need for that access. Auditors identified 64 users with inappropriate access to CCS. In addition, users with "write" access to CCS also have excessive access to delete records from CCS. Auditors identified one student for whom Department staff had erroneously deleted multiple TABE test records from CCS, which increases the risk that data in CCS could be incomplete.

- The Department had not terminated access to txGradebook for five former employees.

- A total of 46 Department employees had inappropriate access to iTCCS.

- A total of 10 Department employees had inappropriate access to ABEST.

Title 1, Texas Administrative Code, Section 202.25, requires agencies to modify or remove access to information technology systems when a user's employment or job responsibilities change.

The Department did not identify the inappropriate access described above because it has not implemented a periodic access review process. The Department also has not incorporated its access review policy into its *Information Security Procedure Manual,* although its *Personnel Policy and Procedure Manual* does require an annual access review.

Additionally, Department procedures require staff to submit forms to the Information Resource Department to grant or terminate user access to systems. However, audit testing for CCS users whose employment had been terminated indicated that the Information Resource Department (1) did not consistently remove access when it received those forms and (2) could not consistently provide evidence that it had received those forms for all users whose employment had been terminated. Not performing periodic access reviews and not effectively managing user access could compromise the integrity of critical information.

Change Management

The Department has not established sufficient controls over change management for CCS and the SAS program it uses to calculate performance measures. Title 1, Texas Administrative Code, Chapter 202, requires agencies to establish a process for controlling modifications to information resources and to obtain approval by the information owner prior to implementing system changes. Although the Department's change management policy requires each change to a Department information resource to be requested, approved, prioritized, and logged, the Department has not implemented procedures to help ensure compliance with that policy. The Department could not provide evidence that it consistently documented, authorized, tested, or approved all six CCS changes that auditors tested. However, the Department has implemented controls to prevent its programmers from moving CCS code into the production environment.

The Department also has not established appropriate segregation of duties for changes it makes to the SAS program it uses to calculate performance measures. All Department programmers who have access to the Department's versioning control software have the ability to make changes to the SAS program without formal review and approval (see Chapter 2 for additional details on performance measures related to reading).

Not having a fully implemented change management process increases the risk that unauthorized changes could be made to CCS or to the SAS program the Department uses to calculate performance measures.

Recommendations

The Department should:

- Annually review user access to CCS, txGradebook, iTCCS, and ABEST and make appropriate revisions based on the results of those reviews.

- Establish a process to remove or modify user access to CCS, txGradebook, iTCCS, and ABEST based on termination of employment or changes in employees' responsibilities.

- Incorporate its access review policy into its *Information Security Procedure Manual*.

- Establish and enforce change management procedures, including adequate segregation of duties, for all changes it makes to CCS and the SAS program it uses to calculate performance measures.

Management's Response

The Department should:

- *Annually review user access to CCS, txGradebook, iTCCS, and ABEST and make appropriate revisions based on the results of those reviews.*

   TJJD agrees.

   1) The Acting Information Security Officer (ISO), along with the Information Security team members, the appropriate application development team members, and the appropriate business unit representatives, referred to as the "access review team," will identify and maintain a list of the business unit roles that will have the responsibility for reviewing user access to all appropriate internal and third party systems.

   2) The access review team will designate a single annual deadline to perform all user access reviews for all systems. Regardless of the annual deadline set by the access review team, that team will perform the first user access review of all systems, within a month of their initial meeting.

   3) The Information Security team will collaborate with the vendor liaisons, to pass along the necessary information, and confirm the account statuses, so the vendors can delete all user accounts, and change all user access permissions, for all third party systems built or maintained by the vendors, as recommended by the access review team. The Information Security team will ensure that all third party system account deletions and user access permission changes occur within 1 month after receiving the

recommendations from the most recent access review. This will be the deadline for the initial access review, and all reviews afterward.

Responsible Party*: Acting ISO*

Estimated Completion Date*: December 31, 2013*

▪ *Establish a process to remove or modify user access to CCS, txGradebook, iTCCS, and ABEST based on termination of employment or changes in employees' responsibilities.*

TJJD agrees.

The following actions will allow the Department to effectively and efficiently perform, record, review, administer, monitor, and report user account maintenance activities.

1) The Acting ISO will collaborate with the Human Resources Director to establish timelines for reporting employee terminations and employee changes in responsibility to the Information Security team. The Acting ISO will review these timelines with the Human Resources Director on an annual basis. The first meeting will be held no later than 10/31/13.

2) The Acting ISO or a designated Information Security team member will perform an annual review with the Human Resources Director to ensure that employee terminations and appropriate changes in employee responsibilities are reported to the Information Security team within the established timelines, and to discuss possible changes to any related processes or procedures. The first annual review will be held no later than 10/31/14, based on the completion date shown in Item 1.

3) The Acting ISO will establish appropriate timelines for creating, modifying, suspending, and removing user accounts. The Acting ISO will document these service level timelines in the appropriate chapter of the Department Information Security Procedure Manual.

Responsible Party*: Acting ISO*

Estimated Completion Date*: August 31, 2014*

▪ *Incorporate its access review policy into its Information Security Procedure Manual.*

TJJD agrees.

1) The Acting ISO will incorporate the access review policy from the Department Personnel Policy and Procedure Manual, Chapter PRS.02.31, Conditions of Employment, Paragraph C.8, into the appropriate chapter of the Department Information Security Procedure Manual.

Responsible Party: Acting ISO

Estimated Completion Date: February 28, 2014

▪ *Establish and enforce change management procedures, including adequate segregation of duties, for all changes it makes to CCS and the SAS program it uses to calculate performance measures.*

TJJD agrees.

The following actions will allow the Department to effectively and efficiently perform, record, review, administer, monitor, and report change management and change control activities.

1) The change management team will develop and implement the administrative processes, systems, methods, and documentation necessary to record, review, administer, monitor, and report change management and change control activities for all Department information systems, including third party systems. For third party systems, the change management team will only record, review, administer, monitor, and report the changes that are determined by the team to need change management and control. These processes, systems, methods, and documentation, will correspond with the current change management procedures, as noted in Item 1. These actions will be completed no later than

Responsible Party: Chief Technology Officer

Estimated Completion Date: August 31, 2014

Appendices

Objectives, Scope, and Methodology

Objectives

The objectives of this audit were to:

- Determine whether the Juvenile Justice Department (Department) complied with selected provisions of Texas Education Code, Chapter 30, which requires the Department to implement a comprehensive plan to improve the reading skills of students.

- Determine whether the Department's reporting of performance measure results for reading achievement was accurate and complete.

- Determine whether the Department designed and implemented effective processes and related controls to help ensure compliance with Department policy and state law governing student attendance.

Scope

The scope of this audit covered September 1, 2011, through March 31, 2013, and included a review of the Department's reading program implementation and its attendance processes and controls at the six schools the Department's facilities operate across the state. In addition, auditors tested two performance measures related to reading achievement.

Methodology

The audit methodology included collecting information and documentation from the Department, analyzing and evaluating student reading and attendance data, performing selected tests and other procedures, observing classes, and interviewing staff at the Department's schools and at the Department's central office.

Auditors selected random samples of the following:

- Students who scored below 6.0 on the Test of Adult Basic Education (TABE) while enrolled at Department schools, to test whether students were properly enrolled in the reading program and whether the schools administered assessments for those students as required.

- Students who scored below 6.0 on the TABE during orientation and assessment but who did not subsequently score below 6.0 while assigned

to a permanent facility, to test whether students were properly enrolled in the reading program after they were enrolled in a Department school.

- Students discharged from a Department facility during fiscal year 2012 and the first two quarters of fiscal year 2013, to test whether the Department accurately reported its Percent of Reading Level Gain performance measure.

- Students released from a facility, halfway house, or parole setting during fiscal year 2012, to test whether the Department accurately reported its Percent Reading at Grade Level at Release performance measure.

- Attendance records, to test whether the Department properly reported student attendance.

- Attendance reconciliations each school conducted, to determine whether those reconciliations were properly performed to help ensure the accuracy of attendance records.

Auditors used representative samples; therefore, the test results from the random samples above can be projected to the entire population. However, because auditors used non-statistical sampling methods, the precision of the projection cannot be calculated.

Auditors selected samples of the following based on professional judgment and, therefore, it would not be appropriate to extrapolate those results to the entire population:

- Students who did not score below 6.0 on the TABE, to test whether they were properly excluded from the reading program.

- Attendance records for one date at each facility for all students in those facilities' security and redirect program units, to test whether the Department accurately reported attendance information for those students.

Auditors assessed the reliability of student reading and attendance data by (1) reviewing general and application controls over key systems, (2) comparing data to other sources of information, (3) analyzing key data elements for reasonableness and completeness, (4) interviewing Department employees knowledgeable about the data, and (5) tracing student TABE data to test score sheets. Auditors determined that key data was sufficiently reliable for the purposes of this audit. However, data related to TABE dates was not sufficiently reliable; as a result, auditors did not draw conclusions solely from that date field.

Information collected and reviewed included the following:

- Department policies and procedures.

- General Appropriations Act (82nd Legislature).

- Department 2013-2017 strategic plan.

- The Department's *2012 Annual Review of Treatment Effectiveness Report*.

- Department internal audit and ombudsman reports.

- Department board meeting minutes.

- Performance measure definitions and results the Department reported to the Automated Budget Evaluation System of Texas (ABEST).

- Reports from the Meadows Center for Preventing Educational Risk.

- Student reading assessment data.

- Reports and reviews of student reading assessment data.

- Student academic files.

- Student attendance data and records.

- Attendance reconciliations.

- Class schedules.

- Reading Excellence: Word Attack and Rate Development (REWARDS) and REWARDS Plus reading program evaluation conducted by a Department contractor, October 2012.

- Reading program curriculum.

- Reading teacher job descriptions.

- Reading teacher personnel files, including documentation of education, certifications, and experience.

- Reading teacher training records and training materials.

- Teacher evaluations and observations.

- Department reading program analyses, including annual analyses, monthly monitoring, and evaluations of student feedback the Department collected.

- List of current Department employees and user access information.

- Information technology system reports.

Procedures and tests conducted included the following:

- Interviewed Department management and staff, including staff at the six schools in the Department's facilities.

- Analyzed student reading and attendance data.

- Tested controls over reading and attendance data, including application controls.

- Reviewed and tested compliance with Department policies and procedures, the Texas Administrative Code, and the Texas Education Code.

- Observed reading program classes and general education classes at the schools in the Department's facilities.

- Reviewed reading instructor certifications, evaluations, and training records.

- Reviewed the results of classroom observations that school administrators conducted.

- Reviewed the Department's monitoring of the reading program.

- Reviewed programs the Department used to calculate performance measure results.

- Observed the attendance reporting process.

- Reviewed attendance reporting codes for compliance with Texas Education Agency guidelines.

- Reviewed attendance records and reconciliations.

- Tested controls related to access, information security policies, and change management for the Department's Correctional Care System (CCS) and the SAS program the Department uses to calculate performance measure results.

- Tested controls related to access for (1) Texas Gradebook and the Internet-based Cooperative Computer System, which the Department uses to track and report attendance, and (2) ABEST, which the Department uses to report performance measure results.

Criteria used included the following:

- Texas Education Code, Chapter 25.

- Texas Education Code, Chapter 30.

- Title 1, Texas Administrative Code, Chapter 202.

- Title 37, Texas Administrative Code, Chapter 380.

- Texas Education Agency's *2012-2013 Student Attendance Accounting Handbook*.

- Department policies, procedures, and manuals.

- Reading program descriptions.

Project Information

Audit fieldwork was conducted from May 2013 through July 2013. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The following members of the State Auditor's staff performed the audit:

- Audrey O'Neill, CIA, CGAP (Project Manager)

- Jennifer Ranea Robinson, CPA, MBA (Assistant Project Manager)

- Matthew Byrnes, CIDA

- Arthur N. Cadena

- Anton Dutchover

- Jacqueline M. Gomez

- Scott Labbe

- Lisa M. Thompson

- Brenda Zamarripa, CGAP

- Charles P. Dunlap, Jr., CPA (Quality Control Reviewer)

- Nicole M. Guerrero, MBA, CIA, CGAP, CICA (Audit Manager)

Sec. 30.106. READING AND BEHAVIOR PLAN. (a) Because learning and behavior are inextricably linked and learning and improved behavior correlate with decreased recidivism rates, the Texas Youth Commission shall not only fulfill the commission's duties under state and federal law to provide general and special educational services to students in commission educational programs but also shall implement a comprehensive plan to improve the reading skills and behavior of those students.

(b) To improve the reading skills of students in Texas Youth Commission educational programs, the commission shall:

(1) adopt a reliable battery of reading assessments that:

(A) are based on a normative sample appropriate to students in commission educational programs;

(B) are designed to be administered on an individual basis; and

(C) allow school employees to:

(i) evaluate performance in each essential component of effective reading instruction, including phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(ii) monitor progress in areas of deficiency specific to an individual student; and

(iii) provide reading performance data;

(2) administer the assessments adopted under Subdivision (1):

(A) at periodic intervals not to exceed 12 months, to each student in a commission educational program; and

(B) at least 15 days and not more than 30 days before a student is released from the commission;

(3) provide at least 60 minutes per school day of individualized reading instruction to each student in a commission educational program who exhibits deficits in reading on the assessments adopted under Subdivision (1):

(A) by trained educators with expertise in teaching reading to struggling adolescent readers; and

(B) through the use of scientifically based, peer-reviewed reading curricula that:

(i) have proven effective in improving the reading performance of struggling adolescent readers;

(ii) address individualized and differentiated reading goals; and

(iii) include each of the essential components of effective reading instruction, including phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(4) require each teacher in a commission regular or special educational program who teaches English language arts, reading, mathematics, science, social studies, or career and technology education to be trained in incorporating content area reading instruction using empirically validated instructional methods that are appropriate for struggling adolescent readers; and

(5) evaluate the effectiveness of the commission's plan to increase reading skills according to the following criteria:

(A) an adequate rate of improvement in reading performance, as measured by monthly progress monitoring using curricular-based assessments in each of the essential components of effective reading instruction, including phonemic awareness, phonics, fluency, vocabulary, and comprehension;

(B) a significant annual rate of improvement in reading performance, disaggregated by subgroups designated under commission rule, as measured using the battery of reading assessments adopted under Subdivision (1); and

(C) student ratings of the quality and impact of the reading plan under this subsection, as measured on a student self-reporting instrument.

The Juvenile Justice Department (Department) uses the Test of Adult Basic Education (TABE) to measure student reading performance. The Department's process is to administer that test once every six months to students incarcerated in its facilities.

Tables 4 and 5 summarize the reading performance of students who exited Department schools between September 1, 2011, and March 31, 2013.

Table 4

Average TABE Score for Students Incarcerated in Department Facilities		
Category	Students at Initial Entry	Most Recent Reading Score for Students Who Have Exited Department Facilities
Grade level of reading performance [a]	5.6	7.8

[a] Student reading performance is measured on a scale between 0 and 12.9, where each number indicates a student's grade level and month of reading achievement. For example, a score of 2.1 indicates that a student is reading at the level of a second grader in the first month of instruction.

Source: The Department.

Table 5

Student Reading Levels Upon Entry and Exit from Incarceration in Department Facilities			
Category	Percent for Students at Initial Entry	Percent Based on Most Recent Score for Students Who Have Exited Department Facilities	Increase or (Decrease) between Initial Entry and Most Recent Score
Reading at grade level or higher	3.0%	10.4%	7.4
Reading between grade level and 1 year behind	5.9%	4.9%	(1.0)
Reading between 1 year and 2 years behind grade level	8.1%	9.6%	1.5
Reading between 2 years and 3 years behind grade level	11.0%	13.4%	2.4
Reading between 3 years and 4 years behind grade level	10.5%	11.1%	0.6
Reading between 4 years and 5 years behind grade level	13.7%	11.8%	(1.9)
Reading more than 5 years behind grade level	47.8%	38.8%	(9.0)
Totals	100.0%	100.0%	

Source: The Department.

Copies of this report have been distributed to the following:

Legislative Audit Committee
The Honorable David Dewhurst, Lieutenant Governor, Joint Chair
The Honorable Joe Straus III, Speaker of the House, Joint Chair
The Honorable Thomas "Tommy" Williams, Senate Finance Committee
The Honorable Jim Pitts, House Appropriations Committee
The Honorable Harvey Hilderbran, House Ways and Means Committee

Office of the Governor
The Honorable Rick Perry, Governor

Juvenile Justice Department
Members of the Juvenile Justice Board
   Mr. Scott W. Fisher, Chair
   The Honorable John Brieden, III
   The Honorable Joseph Brown
   The Honorable Carol Bush
   Ms. Becky Gregory
   Ms. Jane Anderson King
   The Honorable David "Scott" Matthew
   Ms. Mary Lou Mendoza
   Dr. Rene Olvera
   The Honorable Laura Parker
   The Honorable Jimmy Smith
   Mr. Calvin Stephens
   Ms. Melissa Weiss
Mr. Mike Griffiths, Executive Director