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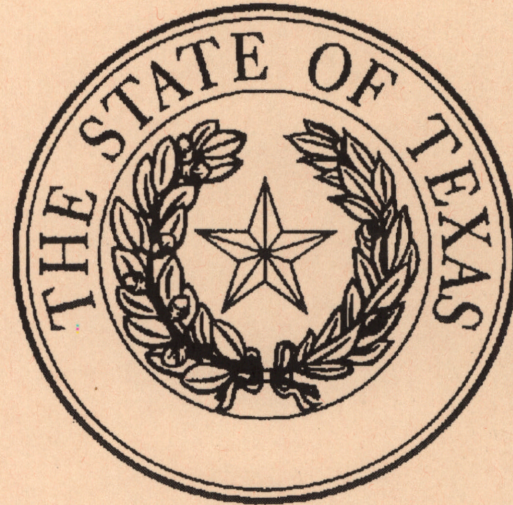
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INTERNAL AUDIT DEPARTMENT

Audit Report on

Crockett State School

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June 2011

Crockett State School

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TEXAS YOUTH COMMISSION



INTERNAL AUDIT DEPARTMENT

TO: Texas Youth Commission Board
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The Honorable Rolando Olvera, Member
Toni Sykora, Member

Cheryl Townsend, Executive Director

FROM: Karin Hill, Director of Internal Audit

A handwritten signature in black ink, appearing to read "Karin Hill".

DATE: June 3, 2011

RE: Results of the Audit of Crockett State School

Attached for your approval is our report on the audit of the Texas Youth Commission's Crockett State School. This audit was conducted as part of the facility audits required by Senate Bill 103 and included objectives related to youth rights and activities, injuries, and multi-disciplinary teams.

To accomplish this objective the team interviewed staff, held focus groups and conducted a survey of youth, observed facility operations, and reviewed various documentation and related reports.

Recommendations to strengthen management controls and improve accountability were provided and are included in this report. Management concurs with the results of our work and has provided responses, which are included with the recommendations at the end of the report. We appreciate the cooperation and assistance provided to us throughout this audit.

cc: Robin McKeever, Ph.D., Deputy Executive Director

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EXECUTIVE SUMMARY

This report presents the results of our audit of the Texas Youth Commission's Crockett State School. This audit was conducted through a combination of field visits and analytical work completed in the Central Office. It included objectives related to youth rights and activities, injuries, and multi-disciplinary teams.

Local management has implemented an alternative process for the Conference Request Log that meets the intent of agency policy. Discussion with management identified that to address difficulties they were having implementing the Conference Request process according to policy and ensuring that youth had unrestricted access to the logs they implemented the Request to Speak with process and form. Review of this process and discussion with youth and staff identified that it was meeting the requirements of policy and both youth and staff considered it an effective option to address concerns.

Documentation of due process in the Security Unit needs improvement. Consistent with other facilities, documentation of due process was often missing, not complete, or contained contradicting information, making it difficult to ascertain whether youths due process rights are being protected. Additionally at Crockett, a backlog of data entry and unfiled security documents were observed creating a risk that documentation is lost and online files are providing incomplete information.

Management involvement has improved the security referral process. Providing training and implementing the requirement that the on-duty supervisor visit the dorm prior to a youth being referred to security has had a positive effect on the number of restraints used at Crockett. Additionally, a high proportion of youth referred to the Security Unit are admitted indicating that the additional attention may be serving as a barometer for whether referral is truly necessary.

Additional recreation activities could benefit the youth. Complaints from youth in the focus groups and observations during field visits noted limited physical activities for youth to participate in. While the Superintendent has put emphasis on this by requiring recreation schedules be submitted for review and approval, a review of schedules identified that youth are not offered adequate structured leisure-time activities as defined by policy and a review of dorm logs and supervisory reports reflected limited outside activity.

While the multi-disciplinary teams communicate necessary information to the youth, improvements are needed to ensure results are incorporated into individual case plans. Observation of several team meetings and review of documentation identified that staff are thorough and discuss the required information but do not always clearly translate the discussion to the youth's case plans. This has also been identified as a concern of management, who is addressing it through additional and focused training.

BACKGROUND

The Crockett State School (Crockett) is located in Crockett, a small east Texas town. It is an all male facility budgeted for 128 youth, 64 of which are designated for specialized treatment programs, primarily mental health treatment.

The facility has 319 budget staff, of which 191 are Juvenile Corrections Officers (JCOs) and 22 are Case Managers, the staff most responsible for the youths' well-being and rehabilitation. The JCO turnover rates were 28.44 percent and 22.63 percent for Fiscal Year 2010, and Fiscal Year 2011 through April 2011. The current Superintendent assumed the position in June 2010 but prior to this there had been two others in the last two years.

The primary objectives of this audit were to:

- Determine whether the alternative process implemented for the conference request log meets the intent of policy.
- Determine whether due process is provided/documentated in the Security Unit.
- Determine the impact of the initiative to improve the referral process to security.
- Analyze youth/staff injuries and identify trends.
- Determine whether the Multi-Disciplinary Team (MDT) process communicates the necessary information to the youth.
- Determine whether the recreation program provides youth with adequate activities.

To accomplish these objectives we: interviewed Central Office and facility staff; administered a youth rights survey; and conducted youth focus groups. We also observed meetings and compared the items discussed to the related Individual Case Plans, and visited the dorms to observe evening operations.

This report presents the results of our audit of the Crockett State School. The on-site work was completed from January - March 2011. Additional work was conducted at the central office by the audit team between and after the visits.

This performance audit was conducted in accordance with the *International Standards for the Professional Practice of Intern Auditing* and *Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for the findings and conclusions reported in this report

RESULTS

Local management has implemented an alternative process for the Conference Request Log that meets the intent of agency policy.

TYC recognizes that informal discussions between staff and youth are a key element in resolving issues or concerns at the earliest stage and contribute to a positive facility culture. The Conference Request process was created as an alternative to the youth grievance process that allows youth to initiate a conference with any staff member assigned to the facility as an informal means of addressing issues or concerns. The process is initiated by youth who enter their request to speak with a certain staff into the dorm Conference Request Log. Staff are available to meet with youth whenever possible, limited only by consideration for facility order and the safety of youth and staff.

Previous facility audits have reported that youth are familiar with the conference request process but do not use it very often. Findings identified incomplete log documentation and that use of the Conference Request Log is sometimes hampered by being unavailable to youth. Crockett focus groups identified that youth were split about their feelings and knowledge of the Conference Request Log process varied. While some youth knew nothing about the process others were familiar with it but complained about the timeliness, saying the process took too long to resolve their issues. Further inquiry about the conference request log indicated it was placed in the JCO VIs office, because youth were destroying the logs when placed in dorm common areas, and a “Request to Speak with Form” was developed to augment the process.

These Request to Speak with forms were maintained in the Youth Grievance folder by Youth Grievance Clerks on each dorm who provided the forms to youth upon request and without question. Youth complete the form and submit it to the Youth Grievance Lock Box. As with youth grievances, forms were collected from the grievance box by the Youth Rights Specialist, date stamped and notification of the request emailed to the youth’s JCO VI and the staff the youth requested to speak with for response. After meeting with the youth, the staff notified the JCO VI requesting the meeting be logged in the Conference Request Log. According to youth, the meeting with requested staff normally takes place within the week and they feel comfortable with this more informal process.

However, recently use of the Request to Speak With forms was discontinued due to concerns of not complying with policy, eliminating a reportedly effective avenue of communication between youth and staff. In addition to it being a trusted avenue for youth to discuss their problems, this process made it possible for the youth to request a conference with a specific staff member readily available, without having to go through a JCO VI – a concern that has been identified during previous audit work.

Documentation of due process in the Security Unit needs improvement.

Due process activities are designed to safeguard the legal rights of the individual. Youth have the right to expect accuracy and fairness in all decisions made concerning them, including placement in the Security Unit. Agency policy outlines due process for the admission, extension and release of youth from the Security Unit part of which includes; properly documenting the process and conducting level hearings as required. According to INS.75.03, Security Unit, Referral to Security Unit, when youth are admitted to segregation programs, the admission is to be documented on the INS-210, Security Unit: Daily Arrivals and Releases form, as well as on the CCF-225, Incident Report form.

Observations in Crockett's Security Unit are consistent with previous facility audits; missing or conflicting information often prevented the determination of whether due process rights are protected. For youth in the Segregation Program during the time of the fieldwork visit, documentation was present supporting that they received due process. The CCF-225 was on file and indicated timely arrival of the document to the Security Unit, and youth arrival was documented on the INS-210 as was required Level III Hearing documentation. However, supporting documentation was not always available for youth on the Redirect Program. Specifically, for those youth the CCF-225 was on file but the Level Hearing documentation was not.

Youth security files are located in the training building in the masterfile office where numerous unfiled Security Unit documents were observed. Also, documentation was not coded to the Correctional Care System (CCS) for up to two weeks which can yield inaccurate reports for management decision making. Untimely data entry and filing add to difficulties in determining that requirements are met, impact the accuracy of on-line reports created from CCS data, and increase the potential of misplacing documentation to support management actions.

Management involvement has improved the referral process.

In August 2010 the Superintendent provided staff training on how to write a CCF-225 and implemented a practice to reduce Security Unit referrals by requiring the On-Duty Supervisor (ODS) to visit the dorm prior to a youth being referred to the Security Unit. This was to reduce referrals by having someone in management assess the incident and youth demeanor, and discuss the interventions applied. At that point, the manager would determine whether referral to the Security Unit was necessary.

Most youth who are referred to the Security Unit are admitted. A review of Security Unit data from February 2010 through January 2011 indicates the number and percentage of referrals and admissions continued to fluctuate after implementation of this initiative. The number of referrals each month averaged 482 and ranged from 391 to a high of 670. This trend was the same for admissions; the percentage of referrals to the Security Unit

that were admitted range from 77.4 to 94.9 percent, the highest among TYC institutions indicating management involvement strengthens the referral process.

The initiative has had a positive impact on reducing the number of restraints.

Review and analysis of restraints identified a significant decrease in the number per 100 ADP from 108 in April 2010, to 60 in January 2011. While this may not be the only factor reducing restraints, the practice of bringing in an uninvolved staff member before referring youth to security could be a practice worth considering at other facilities.

Additional recreation activities could benefit the youth.

The agency understands the importance of providing activities that expend energy and allow physical and psychological release for youth; the American Correctional Association standards, as well as GAP.91.17, Structured Activity/Recreation, requires facilities to provide for and require participation in structured activity and/or recreation programs for all youth in residential facilities as a vital and essential element of individual development and as an opportunity for appropriate social interaction. Facilities with 50 or more youth have a full-time qualified Recreation Director who is responsible for creating the recreation schedule; planning for constructive leisure time and activities to include sports, fitness, and seasonal/special activities, and supervising all recreation programs and staff.

The recreation and leisure time schedule should include; at least one hour per day of large muscle activity and one hour of structured leisure-time activities. Recreation programs are conducted in cooperation with other departments including security, education, religious services, and medical. The recreation program should encompass a wide variety of physical activities and physical skill building to encourage youth to self monitor and set personal fitness goals.

Limited physical activities were observed. During focus groups, youth complained about being bored and acting out because they have nothing to do. While physical activities are scheduled for the youth on non-school days the recreation schedule for school days provides each dorm the opportunity to visit the gym and game room once per week depending on their behavior. However, observations during field visits noted youth watching television, writing letters and talking on the phones or amongst each other during the evenings, without organized activities. A review of a sample of recent recreational schedules identified that youth are not offered adequate structured leisure-time activities as defined by policy; and a review of dorm logs and ODS reports, which document youth movement during the shift, reflected limited outside activity. To ensure agency expectations are met with regard to recreation and youth personal growth, the facility should consider monitoring recreational practices. More constructive or physical activities would benefit youth as well as staff.

While the Multi-Disciplinary Teams communicate necessary information to the youth, improvements are needed to ensure results are incorporated into individual case plans.

The Multi-Disciplinary Team (MDT) is used to assess, review, revise, and discuss the youth's treatment and rehabilitation program based on risk and protective factors. During this monthly meeting, qualified staff meet with the youth to review previous goals, discuss progress, make an assessment for promotion in the program and establish goals for the next review period. Case Management Standard (CMS).02.11, Multi-Disciplinary Team, outlines requirements for MDT meetings.

Case management standards establish requirements for attendance at monthly MDT meetings as well as what will be discussed. Mandatory participants of the MDT includes but is not limited to; the youth, parents/legal guardian, Case Manager, JCO V or VI, Teacher and at least one JCO I-IV. Observation of several MDT meetings noted a very thorough process; staff review documentation related to the youth's activities for the previous 30 days and discuss his progress. They meet with the youth to discuss goals, accomplishments and how risk and protective factors impact decisions. The youth is removed from the room for staff discussion and a decision about individual youth stage status and returns to hear the assessment results and work with staff to develop goals for the next review. While staff are trained that individual MDT meetings should be completed within 15 minutes, meetings for individual youth usually extend to approximately 30 minutes.

Review of sample MDT minutes identified that overall; the information discussed in the MDT meeting documentation was thorough and included basic information to justify the youth's stage status. There is documentation of those present (staff, youth, family, etc), the youth review, youth goals, promotion status, privileges, job applications, and restrictions. There is also information about the Make My Week Privileges that includes the calculation of youth points, eligibility and comments such as behavioral problems.

The result of the MDT meeting is not always incorporated into the Individual Case Plan (ICP) for the next 30 days. The plan includes progress and goals in education, behavioral skills, and rehabilitation programming. Additionally, medical information, community re-entry and risk and protective factors are covered. The plan is signed by the youth and mailed to the parents.

A review of a sample of ICPs developed for the youth MDTs that were observed identified that generally all required information was included. The information was detailed showing youth progress, or lack thereof, in the core areas leading to the final decision about youth stage status. However, there were a few instances where the information on the ICP was duplicated from month to month or varied by a sentence or two. For instance, for one youth it was documented that he had failed an eye exam and needed a prescription but there was no follow up documented the next month, just the same comment. For another youth, the only information that changed from one month to the next was the TABE scores in the School/Work Force Development section.

Additionally, for February and March not all ICPs had been entered into Assessments.Com (ADC) – the database where assessment and treatment information is completed and documented – within the seven calendar day timeframe required by CMS. 02.11. Management has identified follow through on case plans as a concern and is addressing it through additional training.

Staff and youth injuries remain a concern.

Approximately 30 percent of all youth injuries happened during a restraint. From March 2010 through January 2011 the injury rate per 100 ADP ranged from 145 in July to 62 in December. This could be the result of the initiative to improve the referral process to security in addition to having stable management since June 2010. Review of severity of injuries, as reported by Health Services, identifies that the vast majority of youth injuries (94%) continue to be minor in nature and are addressed by nursing staff without the need to transport the youth off-campus for additional treatment.

A review of Injury Frequency Rate (IFR) information for Fiscal Year 2010 and 2011 through December 2010 indicated Crockett has the 2nd highest Injury Frequency Rate (IFR) for Fiscal Year 2010 and 2011 projected. The 2011 projected rate of 41.45 percent is more than double the agency's project rate of 19.83 percent for the year. Since February 2010 staff injuries have had an upward trend, ranging from three in February to eleven in both September 2010 and January 2011. Analysis identified that staff injuries occur throughout the day and peak two hours in the morning and two hours in the evening beginning at 6:00 a.m. and 8:00 p.m. Facility management is aware of these issues and continues to work with the local Human Resource Specialist to address them. Additional analysis on both staff and youth injuries will be conducted and reported in the Internal Audit Department's audit of staff and youth injuries, which is currently underway.

RECOMMENDATIONS

RECOMMENDATION	MGT RESPONSE CURRENT STATUS PROJ. COMPLETION DATE
1. To provide youth with an alternative to the grievance process, the Director of Youth Services should explore the conference request process previously adopted at Crockett State School and consider implementing it at all residential facilities. This will require that policy be updated accordingly.	<p data-bbox="995 405 1252 504">CONCUR Planned November 1, 2011</p> <p data-bbox="837 541 1409 793">Youth Services will begin developing a study of this at the May Superintendent's meeting. A team will be assigned to review the practice at Crockett for expanded use. This team will review current policy and practice and report their findings and suggestions for policy changes needed to implement the conference request practice used at Crockett.</p>
2. To ensure the agency is completing and maintaining documentation to support that youths due process rights are protected, the Director of Youth Services should establish a task force to review and streamline documentation requirements in the Security Units.	<p data-bbox="1013 842 1235 940">CONCUR Underway August 31, 2011</p> <p data-bbox="837 978 1382 1262">Youth Services has established a team to begin review of security unit functions and procedures the week of May 22-28 and submit initial recommendations and suggested policy changes to the Director of Youth Services by July 1, 2011. We anticipated final recommendations to be submitted to Executive Management Team for review on August 01, 2011.</p>

3. To ensure documentation is available and electronic systems are up-to-date the Superintendent should dedicate the resources necessary to eliminate the backlog of security data entry and filing and ensure staff are cross-trained to keep processes going in the event of an unexpected absence.

**CONCUR
Implemented
April 1, 2011**

- All clerks in operations are being crossed trained to enter data entry and assigned to a dorm to ensure that the data is up-to-date and current. All 225s and 120s. They will enter all information within 24-hours of the incident report being reviewed and will submit weekly reports to the Assistant Superintendent of their progress.
- Light duty personnel will assist with data entry and filing to ensure all information is filed. They will be assigned to a clerk and the Admin IV will request CCS access and provide training.
- The Data Entry Clerk and her backup will attend training at Corsicana on May 19, 2011 to update their skills and knowledge of the system.
- The Superintendent, Assistant Superintendent and PS III will perform quality assurance by randomly sampling ten files each month to verify that the strategy is working and offer incentives such as certificates to the clerk who meets the targeted goal of 100% compliance of all 225s entered within 24 hours of them being reviewed.

4. To ensure youth are provided adequate recreational activities, the Superintendent should emphasize the scheduling of organized activities and monitor their occurrence.

**CONCUR
Implemented
April 16, 2011**

- The Superintendent will ensure that adequate recreational activities are scheduled as he will approve the recreation and activities each week that are received from the recreation department. He will send out the approved weekly schedule to all employees.
- Recreation will submit a weekly schedule of activities including intramural activities for sports and intellectual games and have it approved by the Superintendent. They will incorporate activities brought up by the youth and give out a monthly questionnaire of what the youth would like to do. They will include activities that are multi-cultural and involve youth who are intellectuals.
- On weekends the ADO will monitor the activities during their walk around on campus and record their findings on the ADO report.
- The Superintendent will randomly monitor the activities on weekends and during the week and submit his findings and observations to the recreation department.
- Program Specialists and recreation will institute incentives for the dorm that has the best participation in the recreational activities.
- The 16 hour schedule will be revised to incorporate the one hour of large muscle and a second hour of structured recreational activity. The Assistant Superintendent will head this committee and ensure this is completed.

