

REPORT NO. 12225

STATE OF FLORIDA
OFFICE OF THE AUDITOR GENERAL



151476

PERFORMANCE AUDIT

OF THE

CORRECTIONAL EDUCATION
SCHOOL AUTHORITY

JANUARY 18, 1994

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STATE OF FLORIDA

OFFICE OF THE AUDITOR GENERAL



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AUDITOR GENERAL

January 18, 1994

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NCJRS

NOV 28 1994

ACQUISITIONS

The President of the Senate, the Speaker of the
House of Representatives, and the
Legislative Auditing Committee

I have directed that a performance audit be made of the
Correctional Education School Authority. The results of the audit are presented
to you in this report. This audit was made as a part of an ongoing program of
performance auditing by the Office of the Auditor General as mandated by
Section 11.45(3)(a), Florida Statutes.

Respectfully yours,

Charles L. Lester
Auditor General

Audit supervised by:

D. Byron Brown

Audit made by:

E. Lee Cobb, Jr.

PERFORMANCE AUDIT
OF THE
CORRECTIONAL EDUCATION SCHOOL AUTHORITY

Table of Contents

<u>Chapter</u>	<u>Page</u>
Executive Summary	i
I. Introduction: Purpose and Scope, Methodology	1
Purpose and Scope	1
Methodology	2
II. Background: Program Design and Organization	5
Program Design	5
Program Organization	6
Program Resources	11
III. Findings and Recommendations	15
Finding 1.1 CESA has not fully complied with many of its statutory mandates including the requirement to establish goals, objectives, and performance measures to assess its correctional education programs.	17
Finding 1.2 CESA has not established procedures to assure that inmates most likely to benefit from correctional education are identified and assigned to facilities that offer correctional education. As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes.	21

Table of Contents
(Continued)

<u>Chapter</u>	<u>Page</u>
Finding 1.3 CESA has not ensured that complete and reliable statistics are collected and maintained, and does not have procedures to ensure that information is comparable across years. Furthermore, CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission.	28
Finding 1.4 Other states use various correctional educational organizational structures, including systems supervised by Department of Corrections staff and entities with educators setting policy, similar to CESA.	35
Appendices	41
A. File Review Methodology	42
B. CESA Academic and Vocational Programs As of June 30, 1993	43
C. Board of Correctional Education as of September 1, 1993	44
D. Specific Statutory Requirements of CESA	45
E. Response From the Correctional Education School Authority	49

CORRECTIONAL EDUCATION SCHOOL AUTHORITY

Purpose and Scope

This audit evaluates the Correctional Education School Authority (CESA), which provides a variety of educational services in Florida's correctional institutions to help prepare inmates to function productively upon release into society. The scope of our audit included a review of CESA's management controls to assure compliance with statutory mandates and to measure its performance. Specific objectives of our audit were to:

- Determine whether CESA has complied with statutory responsibilities;
- Determine if CESA has developed procedures to identify those inmates most likely to benefit from correctional education and to assure that such inmates are assigned to facilities that offer correctional education;
- Determine whether CESA has maintained and reported reliable statistical data to measure the relationship between identified inmate need for correctional education, and educational program participation and completion by inmates; and
- Identify how other states provide educational services to correctional inmates.

Background

To help prepare inmates to function productively after release, state laws have established requirements for the provision of educational opportunities for academic

EXECUTIVE SUMMARY

and vocational skills. Section 944.012(6)(d), F.S., provides that it is the intent of the Legislature to make available to those offenders who are capable of rehabilitation, the job-training and job-placement assistance they need to build meaningful and productive lives when they return to the community. Section 242.68, F.S., requires that correctional education programs provide inmates, in order of priority, with opportunities to achieve functional literacy, to obtain the equivalent of a public high school education, and to obtain at least entry-level marketable vocational skills.

The Correctional Education School Authority (CESA) was established to manage and operate the correctional education program. CESA, with a governing Board of Correctional Education (BCE), was established as a separate and distinct agency administratively attached to the Department of Corrections (DOC). CESA has defined its mission "to provide opportunities for inmates to develop educational, occupational, and life management skills necessary for their transition within society as productive citizens."

Funding for correctional education is derived from the state General Revenue Fund and from the Grants and Donations Trust Fund. In fiscal year 1992-93, CESA expended a total of approximately \$11.1 million, including \$9 million in general revenue and \$2.1 million in federal and state grants. CESA has 284 authorized positions, and provides educational programs at 34 correctional facilities, including 12 institutions where services are provided exclusively through grant-funded and volunteer staff. According to the Department of Corrections annual utilization survey conducted January 27, 1993, CESA had a total of 6,210 academic and vocational work stations, including 2,789 full-time and 3,421 part-time work stations.

Results in Brief

CESA has not fully complied with its statutory mandates, including requirements relating to the establishment of management controls for assessing, monitoring, and reporting its activities. CESA has not established clearly defined goals, objectives, and performance measures that would serve to provide overall direction to its activities or to use in assessing its correctional education programs. Without established goals and objectives, neither the Board nor the Legislature can determine whether CESA is meeting its statutory requirements.

CESA has established guidelines in cooperation with DOC regarding the identification of inmates most likely to benefit from correctional education and the assignment of those inmates to facilities where education is available. However, these guidelines do not include provisions for recording and monitoring the identification and assignment of inmates likely to benefit from education. As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes.

CESA's system of data collection does not produce complete and reliable statistics that can be used to inform the Legislature whether CESA is meeting its mission or provide information for management decisions. Furthermore, CESA's data is not always comparable across years. As of December 1, 1993, CESA had not published an annual report for either the 1991-92 or 1992-93 fiscal years, and CESA had not established procedures to compile and report data necessary to determine whether it is fulfilling its mission. CESA has not established sufficient controls to ensure the accuracy and reliability of its data, thus, limiting its ability to evaluate and report program results.

Other states use a variety of organizational structures both within and outside of the correctional agency. Out of eleven states we contacted, only one state, Virginia, had a specially appointed board organizationally located outside the Department of Corrections, similar to Florida. Most states have assigned the responsibility for correctional education to the state correctional agency. The states vary on the use of school boards and educational professionals to oversee correctional education programs. Organizational structure does not appear to affect the state's capacity to serve inmates, as each of the states reported the capacity to serve a larger portion of their prison population than Florida. The quality of instructional staff was the most commonly mentioned strength of correctional education. Independence from the corrections agency was also a strength mentioned by officials in each of the three states with programs located outside the corrections agency.

Findings

CESA Has Not Complied With Statutory Requirements

In establishing CESA, the Legislature imposed a number of requirements upon either the Board or the Director. However, CESA has not fully complied with many of these statutory requirements. CESA has not established goals, objectives, and performance measures to assess its correctional education programs, nor has it established a system of management controls for assessing, reporting, and monitoring its activities.

Goals, Objectives, and Performance Measures for Correctional Education Have Not Been Established

The absence of established goals, objectives, and performance measures hampers a determination by the Board or the Legislature of whether CESA complies with the requirements set forth in statute. For example, s. 242.68, F.S., requires the Director to annually update a 5-year comprehensive plan for correctional education. The plan is to include measurable objectives, quality control mechanisms, and cooperative efforts with the prison industry program (PRIDE). While CESA has

EXECUTIVE SUMMARY

developed a 5-year comprehensive plan for the period 1991-96, the plan has not been updated annually as required. In addition, CESA has not developed performance measures such as input, output, outcome, and efficiency indicators for assessing progress in achieving its planned objectives. CESA is currently in the process of developing a strategic plan, to be completed by January 1995. The Board has approved a mission statement, and the Director has established a contract with a State University System professor for assistance in developing a strategic plan.

Seventy-five Percent of Inmates Need Literacy Education

Although most inmates could be described as "needing" education, CESA had full-time and part-time work stations in January 1993 to serve approximately 13% of the inmate population at that time, or about 6,210 of the over 48,000 inmates. CESA reported that approximately 75% of the inmate population had a tested grade level below 9.0 years, indicating a strong need for literacy education. However, all inmates who "need" education may not be likely to benefit from correctional education programs. Therefore, to set priorities for the use of its resources, CESA needs to ensure that it identifies and places those inmates in its programs who are most likely to benefit from correctional education.

CESA Has Not Established Procedures to Assure That Inmates Needing Education Are Assigned to Programs

Section 242.68, F.S., requires the Board to develop guidelines in cooperation with DOC to identify which inmates will most likely benefit from correctional education and to assure that those inmates are assigned to facilities that offer correctional education courses. Section 242.68, F.S., also establishes certain priorities for CESA to provide educational opportunities to inmates. These priorities include, in the following order, the opportunity to attain functional literacy, to obtain the equivalent of a public high school education, and to gain entry-level marketable vocational skills. CESA has not established procedures to assure that inmates most likely to benefit from correctional education are identified and assigned to facilities that offer correctional education.

As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes.

**Inmates Not
Recommended For
Educational Courses
Were More Likely to Be
Assigned to Courses Than
Inmates Recommended
For Education**

We reviewed the files of 459 inmates who had been released in April 1993 from their first term of incarceration, and who had been in the state prison system for one year or more.¹ We reviewed information from the DOC database and from inmate files to determine the reception center recommendation regarding education, to obtain data regarding educational need as indicated by test scores, and to determine whether the inmates participated in educational programs. We found that:

- Recommendations made during the intake process did not affect placements in correctional education programs. Inmates recommended for educational programs during their initial assessment were no more likely to have received educational services than inmates who were not recommended for educational services during their initial assessments. Of the 459 inmates in our sample, 373 (81%) were recommended for education during the intake process. Of the 373 inmates recommended for educational services, 213 (57%) were placed in correctional education programs during their incarceration. Of the 86 inmates not recommended for educational programs during their initial assessment, 58 (67%) were placed in educational programs.

¹ The 459 inmates in our sample represent approximately 18% of the inmates released during the month of April 1993. Approximately 52% of the inmates released during that month had been previously incarcerated within the Department of Corrections. We excluded this group from analysis because of the additional steps that would have been required to sort correctional education data received during this incarceration from previous incarcerations. An additional 30% of the inmates released during April 1993 were first-time state prisoners who spent less than one year in prison. We excluded these inmates because they may not have had time to complete educational programming.

Inmates Needing Literacy Education Were Often Not Placed In Educational Programs

- Forty percent of those inmates whose test scores indicated a need for literacy education, the highest priority educational program, were not placed in educational programs. Inmates whose initial test scores indicated a need for literacy education were somewhat more likely to be placed in education than those inmates whose scores indicated a need for a high school diploma or vocational education. Of the 263 inmates in our sample who tested below the 9th grade level, indicating a need for literacy education, 158 (60%) participated in education during their incarceration, compared with 55 (49%) of the 113 inmates who scored at the 9th grade level and above. However, 105 inmates (40% of those testing below the 9th grade level) did not receive education during their incarceration, including 38 inmates who tested below the 5th grade level. CESA does not maintain documentation regarding the reasons why inmates who need literacy education were not assigned to educational programs.

CESA Has Not Established Procedures To Ensure Consistent and Accurate Data

CESA has not ensured that complete and reliable statistics are collected and maintained, and does not have procedures to ensure that information is comparable across years. Furthermore, CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission. There are three major deficiencies in CESA's data collection mechanisms. First, CESA has not ensured that complete and reliable statistics are collected and maintained. CESA has not developed procedures to ensure that the data submitted each month is complete and reliable, or that supporting documentation for the data is maintained or verifiable. Furthermore, automated records did not include all the data on individual inmate participation necessary to determine which inmates participated, how long they

**Output Indicators Are
Not Comparable Across
Years**

participated, whether they received a diploma or certificate, and whether their test scores improved.

Second, CESA does not have procedures to ensure that information is comparable across years. For example, data on the number of vocational certificates awarded cannot be used to make comparisons across years because CESA has not distinguished between vocational certificates awarded for completion of a "module," or part of a course, and those awarded for completion of the whole training course. Failing to distinguish between partial and complete certificates makes comparisons of the number of certificates awarded across years less meaningful.

**CESA Has Not Compiled
Monthly Management
Reports or Prepared
Annual Reports to the
Legislature**

Third, CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission. During the 1992-93 fiscal year, CESA discontinued the practice of compiling monthly management reports, and also reduced the amount of data institutional staff were required to submit each month. Our review of monthly reports from prior years, however, disclosed that those reports did not compile data in a way that would enable CESA to determine whether it was fulfilling its mission. These reports did not indicate whether CESA was serving inmates identified as likely to benefit from education. Furthermore, as of December 1, 1993, CESA had not issued an annual report to the Legislature for fiscal years 1991-92 and 1992-93. Such reports are necessary to demonstrate to the Legislature whether correctional education has resulted in improvements and changes in the inmate's academic performance and vocational skills. This information can be used to make decisions regarding the allocation of the state's limited resources.

Recommendations

Recommendations to the Department

The Director of Correctional Education should develop a system of management controls to periodically assess and report on the status of CESA's compliance with its statutory responsibilities. The system of management controls should also contain goals objectives, and performance measures that can be used to evaluate CESA's performance. The Board should periodically include a review of CESA's statutory compliance in its agenda, and include an assessment of the status of that compliance in CESA's annual report.

The Board of Correctional Education should establish procedures in cooperation with the Department of Corrections to record and monitor the identification and assignment of inmates who are most likely to benefit from education. The Board should also establish procedures to ensure that inmate educational needs are served according to priorities established by statute.

CESA should place a high priority on developing and implementing procedures to ensure that complete and reliable statistics are collected, and maintained. CESA should work with its staff to ensure that necessary data is provided in the most efficient manner possible, and to identify whether current data collection procedures involve duplicative information.

CESA should develop procedures to assure that data is comparable across years. Although partial vocational certificates can be a meaningful measure of inmate achievement, CESA records should distinguish between partial and complete certificates.

CESA should establish procedures to ensure that data is reported to the Legislature as required by statute, and that data is compiled and reported in a way that

EXECUTIVE SUMMARY

enables both CESA and the Legislature to determine whether CESA is fulfilling its mission.

Agency Response

The Director of the Correctional Education School Authority, in his written response to our preliminary and tentative findings and recommendations, concurred with our findings and described specific actions that the Board of Correctional Education has taken, or plans to take, to resolve deficiencies cited in our report.

CHAPTER I

Introduction: Purpose and Scope, Methodology

Purpose and Scope

Performance audits are conducted by the Auditor General as part of the Legislature's oversight responsibility for public programs. The primary objective of performance audits is to provide information the Legislature can use to improve programs and allocate limited public resources. This performance audit was conducted in response to a request from the Joint Legislative Auditing Committee.

This audit evaluates the Correctional Education School Authority (CESA), which provides a variety of educational services in Florida's correctional institutions to help prepare inmates to function productively upon release into society. The scope of our audit included a review of CESA's management controls to assure compliance with statutory mandates and to measure its performance. Specific objectives of our audit were to:

- Determine whether CESA has complied with statutory responsibilities;
- Determine if CESA has developed procedures to identify those inmates most likely to benefit from correctional education and to assure that such inmates are assigned to facilities that offer correctional education;
- Determine whether CESA has maintained and reported reliable statistical data to measure the relationship between identified inmate need for correctional education, and educational program participation and completion by inmates; and
- Identify how other states provide educational services to correctional inmates.

Methodology

Our audit was conducted in accordance with generally accepted government auditing standards and accordingly included appropriate performance auditing and evaluation methods. Audit fieldwork was conducted from June 1993 through October 1993.

To gain a general understanding of CESA, we reviewed relevant sections of the Florida Statutes, Florida Administrative Code, federal laws and regulations, and the Agency Strategic Plan. We reviewed CESA policy and procedures, data, reports, and interviewed staff of the CESA administrative office. We also reviewed information from databases maintained by the Department of Corrections (DOC) and inmate files. Additionally, we conducted site visits in three of five regions to interview selected CESA staff and observe educational programs at eight correctional institutions.¹

To determine the status of CESA's efforts to comply with its statutory responsibilities, we developed a checklist to use in determining compliance with s. 242.68, F.S. We submitted the checklist to CESA's Board Chairperson and Director to obtain their opinions regarding compliance. We also discussed with the Director and Board Chairperson the establishment of management controls by CESA to meet statutory responsibilities. We reviewed documentary evidence for selected statutory requirements to verify compliance and determine the extent to which statutory responsibilities had been fully implemented.

In an effort to update statistical data to illustrate trends in correctional education and the relationship between educational need, participation, and completion, we examined CESA statistics, Department of Corrections data, and Department of Corrections files for 459 inmates.² For each case file, we collected data on educational testing, reception center recommendations for educational placement, and data on academic program

¹ We visited Baker, Cross City, Florida, Holmes, Jefferson, Lancaster, Marion, and New River Correctional Institutions.

² We reviewed files of 437 male inmates and 22 female inmates. We selected files of first-time offenders incarcerated one year or more who were released from prison in April 1993.

participation and completion. (See Appendix A for more information about the methodology used to select the sample of cases.)

To identify how other states provide educational services to inmates, we reviewed a survey of state correctional educational programs implemented under the auspices of the Journal of Correctional Education, a publication of the Correctional Education Association. We also interviewed representatives of the Correctional Education Association, an international association of correctional educators, and contacted correctional education staff in 11 states.³

³ The states we contacted were Alabama, California, Georgia, Illinois, Indiana, New York, North Dakota, Ohio, South Carolina, Texas, and Virginia. These states were chosen based on organizational structures, geographical locations, and size.

CHAPTER II

Background: Program Design and Organization

Program Design

Section 944.012(3), F.S., states that one of the chief factors contributing to the high recidivism rate in the state is the general inability of ex-offenders to find or keep meaningful employment. To help prepare inmates to function productively after release, state laws have established requirements for the provision of educational opportunities for academic and vocational skills. Academic skills are required to read and comprehend vocational training materials. Section 944.012(6)(d), F.S., provides that it is the intent of the Legislature to make available to those offenders who are capable of rehabilitation, the job-training and job-placement assistance they need to build meaningful and productive lives when they return to the community.

The Department of Corrections (DOC) had responsibility for correctional education for nearly three decades. In 1986, the Legislature created the Board of Correctional Education (BCE) and Correctional Education School Authority (CESA), to be effective July 1, 1987. At that time, the responsibility for correctional education was transferred from DOC to CESA.

CESA provides a variety of correctional education services to meet statutory requirements. Section 242.68, F.S., requires that educational opportunities be afforded all inmates in need of education, with consideration of factors such as expected release from custody within five years and sufficient length of time remaining in prison for educational programming. Section 242.68(2)(g)19., F.S., requires that correctional education programs provide the opportunity to achieve functional literacy, the opportunity to obtain the equivalent of a public high school education, and at least entry-level marketable vocational skills.

Additionally, s. 242.68(2)(g)20., F.S., requires that CESA, in cooperation with DOC, ensure that certain inmates attend not fewer than 150 hours of instruction in a correctional adult basic education program. This requirement is directed toward inmates who lack basic and functional literacy skills and who have two years or more remaining to serve on their sentence. Section 242.68(4)(s), F.S., requires CESA to assess, identify, and develop a plan within a specified time-frame for inmates who have special education needs.

To determine educational needs, inmates when entering the correctional system at a reception center are given achievement and intelligence quotient (IQ) tests by DOC staff. Test results are to be considered by DOC classification staff when placement decisions are made. For example, a permanent assignment to an institution which offers mandatory literacy courses or special education assignments is required for inmates needing these educational opportunities.

CESA is responsible for the establishment of academic and vocational education programs within correctional institutions. CESA provides literacy education, high school equivalency preparation, and vocational education courses. The courses provided at each institution vary depending on facilities, staff, and funding resources. Appendix B provides a list of academic and vocational programs offered at institutions as of June 30, 1993.

Program Organization

Chapter 86-183, Laws of Florida, established CESA to manage and operate the correctional education program. CESA, with a governing Board of Correctional Education (BCE), was established as a separate and distinct agency administratively attached to DOC. The annual legislative budget request is submitted through DOC, and the Secretary of Corrections is a member of the BCE. The Department of Education (DOE) and DOC are required to cooperate and render assistance to CESA, as may be necessary, to provide inmate education in Florida's prison system.

To facilitate the provision of educational courses, s. 242.68(2), F.S., vests the BCE with the authority and responsibility to manage and operate correctional education programs. The BCE is composed of four voting ex officio members and five voting members appointed by the Governor and confirmed by the Senate.⁴ Board responsibilities include: adopting and enforcing rules to reach goals of correctional education without conflicting with DOC and DOE rules; developing written cooperative agreements and guidelines with DOC; monitoring, assessing, and reporting inmate education program services; approving the 5-year comprehensive plan, goals and objectives, and appropriate education programs in compliance with policies; reporting the Board's annual activities to the Secretary of Corrections, the Commissioner of Education, the Governor, and the Legislature; inspecting schools at reasonably frequent intervals; maintaining complete and reliable statistics; budgeting and contractual matters; and overseeing personnel matters, including the appointment of a Director. The membership of the Board of Correctional Education as of September 1, 1993, is included in Appendix C.

CESA functions as a local education agency and is headed by the Director of Correctional Education, who is appointed by the Board. Section 242.68(4), F.S., provides that the Director shall supervise the administration of the school authority to provide for the delivery of all correctional education programs and services. The Director's responsibilities include: developing standardized correctional education curricula and procedures to meet DOE standards; annually updating the 5-year comprehensive plan for correctional education; developing a staffing and funding formula, preparing the legislative budget request, being responsible for all expenditures, maintaining procedures to obtain grants; in conjunction with DOC, determining conditions under which an inmate may be removed from an education program or the classroom; assessing and identifying inmates who have special education needs and developing a plan to address those needs; and completing personnel and

⁴ The four ex-officio members are the Commissioner of Education or designee, the Secretary of Corrections or designee, the Secretary of Labor and Employment Security or designee, and the President of Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) or designee. Of the five voting members, one member shall be trained in vocational education and training, one member shall be trained in adult basic education, one member shall be trained in special education, and one member shall have business experience in the private sector. One member shall be a former inmate of the Florida prison system who has completed requirements for a general educational development certificate or vocational certificate.

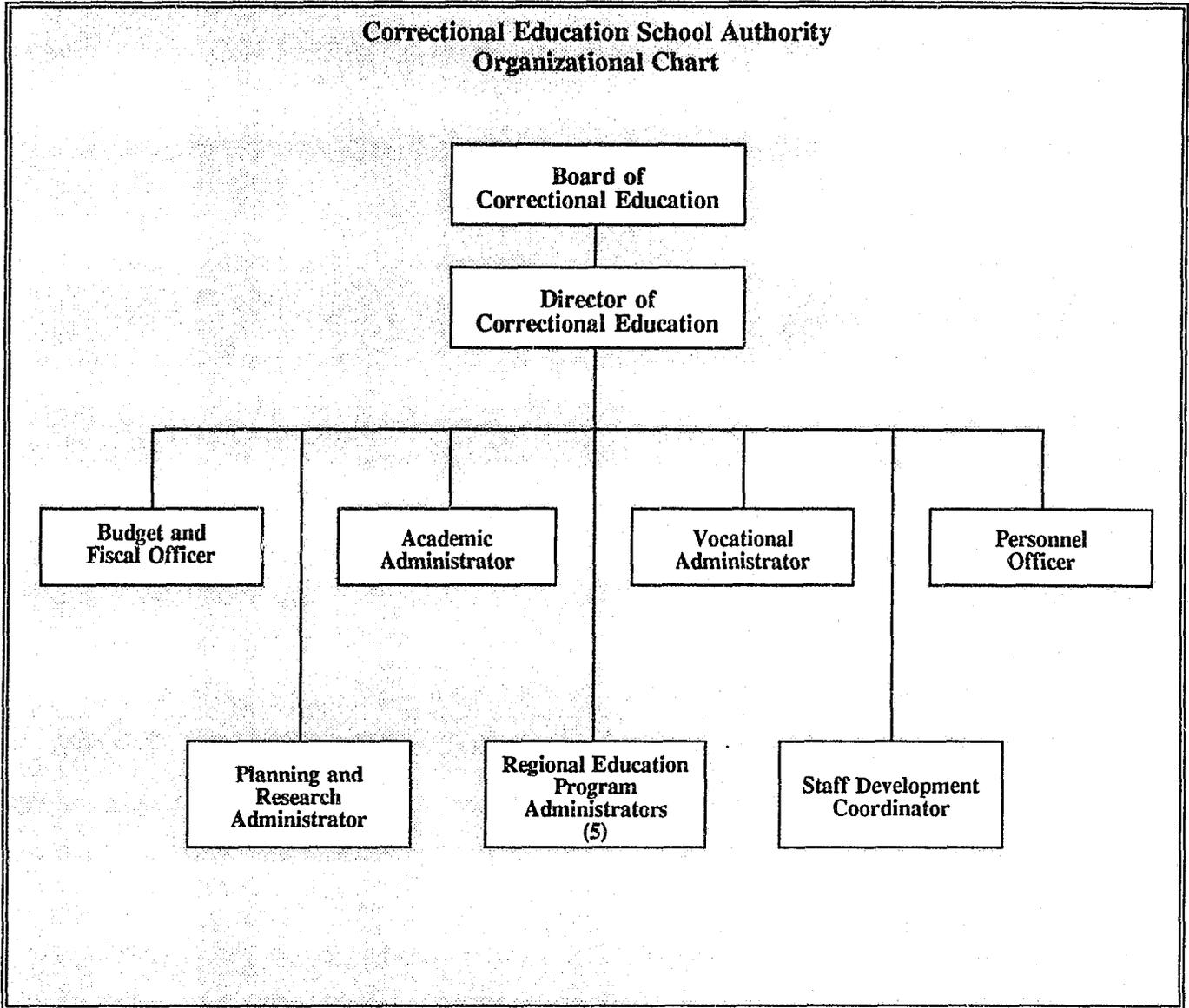
contractual matters. Dr. Carl J. Zahner was appointed Director on December 7, 1992. (See Exhibit 1.)

The CESA administrative office, located in Tallahassee, is responsible for: the development of financial resources; planning, research, and evaluation; the recruitment, selection, and training of qualified staff; and developing, providing, and maintaining academic, special education, and vocational training programs. Staff are located in 5 regional districts and are responsible for providing academic and vocational programs at 22 correctional facilities. Grant funded or volunteer staff provide services at an additional 12 institutions. Institutional activities are overseen by supervising teachers, who report to the regional education program administrators. (See Exhibit 2.) According to DOC's annual utilization survey conducted January 27, 1993, CESA had a total of 6,210 academic and vocational work stations, including 2,789 full-time and 3,421 part-time work stations.⁵

⁵ The term "work station" refers to a job, task, or program to which an inmate may be assigned. The total number of work stations reported reflects the capacity of the program, as defined by the Department, given existing resources on the day of the survey.

Exhibit 1

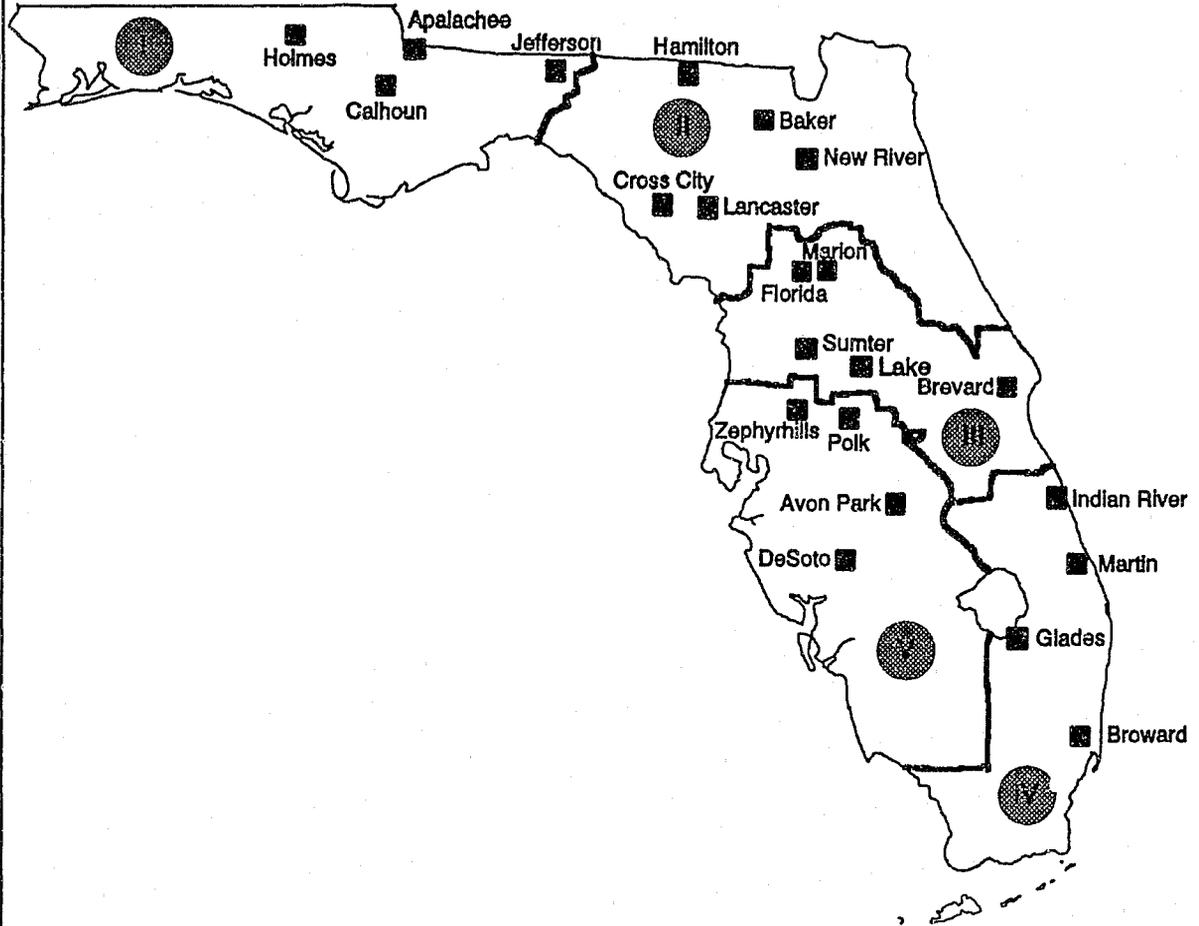
Correctional Education School Authority
Organizational Chart



Source: Correctional Education School Authority.

Exhibit 2

CESA Program Institutions by Region ¹
As of June 30, 1993



¹ The 22 education institutions represented are funded through general revenue. CESA delivers educational services at 12 additional institutions which are staffed with time-limited grant positions.

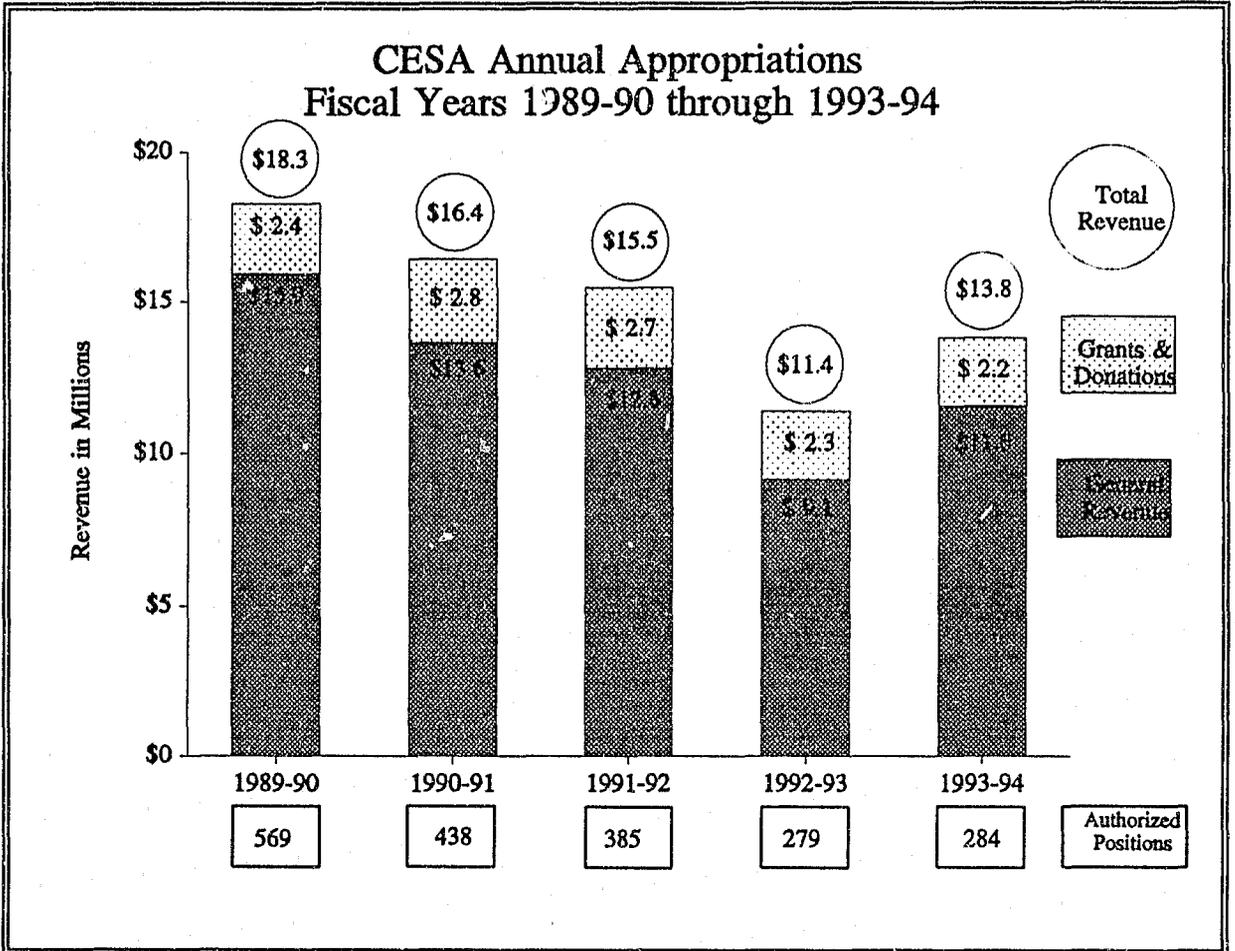
Source: Correctional Education School Authority.

Program Resources

Funding for correctional education is derived from the state General Revenue Fund and from the Grants and Donations Trust Fund. The grants and donations are received from the DOE and DOC. In the four fiscal years prior to fiscal year 1993-94, CESA funding has ranged from a high of about \$18.3 million for fiscal year 1989-90 to approximately \$11.4 million for fiscal year 1992-93. The Legislature originally appropriated \$11.8 million to CESA for fiscal year 1993-94. However, Ch. 93-403, Laws of Florida, provided an additional lump sum of \$2 million in general revenue for mandatory literacy programs at five institutions targeting youthful offenders. Authorized positions for CESA have been reduced from 569 positions in fiscal year 1989-90 to 284 positions in fiscal year 1993-94. Exhibit 3 shows CESA annual appropriations and authorized staff positions for fiscal years 1989-90 through 1993-94.

According to CESA, fiscal year 1992-93 expenditures totaled approximately \$11.1 million. General Revenue expenditures totaled \$9 million and grants and donations expenditures totaled almost \$2.1 million. Salaries accounted for approximately 90% of total expenditures. (See Exhibit 4.)

Exhibit 3



Source: Department of Corrections Budget Office.

Exhibit 4

**Fiscal Year 1992-93
General Revenue and Grants and Donations Expenditures**

Category	General Revenue Expenditures	Grants/Donations Expenditures	Total Expenditures	Percent of Total
Salaries	\$8,305,298	\$1,678,620	\$9,983,918	89.9%
OPS	97,926	86,466	184,392	1.7%
Expenses	539,948	165,619	705,567	6.3%
OCO	51,375	155,410	206,785	1.9%
Motor Vehicles	24,806	0	24,806	0.2%
Total	<u>\$9,019,353</u>	<u>\$2,086,115</u>	<u>\$11,105,468</u>	<u>100.0%</u>

Source: Department of Corrections Budget Office.

CHAPTER III

Findings and Recommendations

Background

The Correctional Education School Authority (CESA) was established to provide a variety of educational services to help prepare inmates in the Florida state prison system to function productively upon release from prison. CESA provides academic and vocational education opportunities for inmates to improve literacy, to attain the equivalent of a high school diploma, or to learn marketable skills or trades. CESA's ability to meet its responsibilities can directly affect the ability of inmates to be successfully reintegrated into society.

CESA was established for the purpose of managing and operating the correctional education program as provided by law. Although it operates within the Department of Corrections (DOC), CESA is an organization independent from DOC. CESA has defined its mission "to provide opportunities for inmates to develop educational, occupational, and life management skills necessary for their transition within society as productive citizens."

Section 242.68, F.S., sets forth the responsibilities of the Board of Correctional Education and of the Director of Correctional Education. These statutory responsibilities include several requirements to establish management controls. Management controls include the process for planning, organizing, directing, and controlling program operations, such as: establishing goals, objectives, performance measures, and an evaluation and monitoring process; developing operating policies and procedures; maintaining and reporting complete and reliable statistics on program outcomes; and establishing clear lines of authority and responsibility.

To determine the status of CESA's efforts to comply with its statutory mandates, we interviewed CESA's Director, the Chairperson of the Board, and CESA staff at eight institutions. We also reviewed documentation regarding compliance with CESA's statutory requirements and management controls, data regarding CESA's educational efforts, and a sample of inmate files. We found:

- CESA has not fully complied with its statutory mandates. CESA has not established goals, objectives, and performance measures to assess its correctional education programs;
- CESA has not assured that inmates most likely to benefit from correctional education are identified and assigned to facilities that offer correctional education. As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes; and
- CESA has not established sufficient controls to ensure the accuracy and reliability of its data, thus, limiting its ability to evaluate and report program results. In addition, CESA has not established a process to ensure that information on individual inmate participation in correctional education is readily available.

To identify how other states provide educational services to inmates, we interviewed representatives of the Correctional Education Association, an international association of correctional educators, and contacted correctional education staff in 11 states.⁶ We found that other states use various correctional educational organizational structures, including systems supervised by Department of Corrections staff and entities with educators setting policy, similar to CESA.

⁶ The states we contacted were Alabama, California, Georgia, Illinois, Indiana, New York, North Dakota, Ohio, South Carolina, Texas, and Virginia.

Finding 1.1

CESA has not fully complied with many of its statutory mandates including the requirement to establish goals, objectives, and performance measures to assess its correctional education programs.

In establishing CESA, the Legislature imposed a number of requirements upon either the Board or the Director. Section 242.68, F.S., provides the specific statutory requirements that pertain to the operation, management, and administration of educational programs for the Department of Corrections. (See Appendix D for list of requirements.) We sought to determine the status of CESA's efforts to comply with these requirements. We requested the Director to identify actions CESA has taken to meet each of the statutory requirements and to provide documentation of those actions. We also asked CESA's Board Chairperson to review and comment on the Director's assessment.

According to the Director and the Board Chairperson, CESA was not in full compliance with many of its statutory requirements. (See Exhibit 5.) The requirements with which the Director and Board Chairperson reported CESA was not in full compliance included establishing a system of management controls for assessing, reporting, and monitoring its activities. For example, CESA did not comply with the requirement to monitor and assess all inmate education services. CESA also did not provide an annual report for fiscal year 1991-92 to the Secretary of Corrections, the Commissioner of Education, the Governor, and the Legislature, and had not published an annual report for the 1992-93 fiscal year, as of December 1, 1993. In addition, CESA did not develop a staffing and funding formula for correctional education.

Exhibit 5

Statutory Requirements With Which CESA Has Not Fully Complied

Section 242.68, F.S.

Requirements

- | Section 242.68, F.S. | Requirements |
|----------------------|---|
| (2)(g)1. | Adopt and enforce all necessary rules for the management and operation of educational programs within DOC. In adopting rules the board shall consider DOC operating procedures and goals of correctional education. Rules adopted by the board shall not conflict with DOC rules relating to security or any applicable rules adopted by DOE. |
| (2)(g)4. | Develop guidelines, in cooperation with DOC, for identifying which inmates would most likely benefit from correctional education. The guidelines shall be based on the inmate's academic and vocational needs, the inmate's level of interest, and the length of time the inmate is expected to remain in prison. |
| (2)(g)5. | Develop guidelines, in cooperation with DOC, that assure that inmates who are identified as likely to benefit from correctional education are assigned to facilities that offer correctional education courses. |
| (2)(g)7. | In cooperation with DOE, monitor and assess all inmate education program services and report the results of such evaluation in the board's annual report of its activities. |
| (2)(g)8. | Establish and adopt criteria to annually evaluate the Director of Correctional Education and set the compensation and salary of the director. |
| (2)(g)12. | Enter into agreements with public or private school districts, entities, community colleges, junior colleges, colleges, or universities, as may be deemed appropriate for the purpose of carrying out its duties and responsibilities, and ensure that agreements require minimum performance standards and standards for measurable objectives, in accordance with established DOE standards. |
| (2)(g)16. | Report the board's annual activities to the Secretary of Corrections, the Commissioner of Education, the Governor, and the Legislature. |
| (2)(g)17. | Develop and maintain complete and reliable statistics on the number of general educational development (GED) certificates and vocational certificates issued by each institution in each skill area, the change in inmate literacy levels, and the number of inmate admissions to and withdrawals from education courses. The compiled statistics shall be summarized and analyzed in the annual report of the correctional education activities required by subparagraph 16. |
| (2)(g)19. | Ensure that correctional education programs comply with the policies set by the board and with public policies and goals and objectives of the state, which include, in the following order of priority: <ol style="list-style-type: none">Providing every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming with the opportunity to achieve functional literacy.Providing every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming, and who has demonstrated the intellectual capacity to benefit therefrom, with the opportunity to obtain the equivalent of a public high school education.Ensuring that every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming be released possessing at least entry-level marketable vocational skills in one or more occupational fields for which there is a demonstrable demand in the economy of this state.Ensuring that every inmate be released possessing life management skills which will allow him to function successfully in a free society.Providing that inmates who demonstrate college-level aptitudes be provided the opportunity to participate in college-level academic programs which may be offered within correctional facilities. |

(Continued)

(2)(g)20.

Ensure, in cooperation with DOC, that every inmate who has 2 years or more remaining to serve on his sentence at the time that he is received at an institution and who lacks basic and functional literacy skills attends not fewer than 150 hours of sequential instruction in a correctional adult basic education program:

- a. Upon completion of the 150 hours of instruction, the inmate shall be retested and, if a composite test score of functional literacy is not attained, the authority is authorized to require the inmate to remain in the instructional program.
- b. Highest priority of inmate participation shall be focused on youthful offenders and those inmates nearing release from the correctional system.
- c. An inmate shall be required to attend the 150 hours of adult basic education instruction unless such inmate:
 - (I) Is serving a life sentence or is under sentence of death.
 - (II) Is specifically exempted for security or health reasons.
 - (III) Is housed at a community correctional center, road prison, work camp, or vocational center.
 - (IV) Attains functional literacy after attendance in fewer than 150 hours of instruction.
 - (V) Is unable to enter such instruction because of insufficient facilities, staff, or classroom capacity.
- d. CESA shall provide classes to accommodate those inmates assigned to correctional or public work programs after normal working hours.

(4)(d)

In cooperation with DOE, pursuant to s. 229.565, F.S., develop and maintain a procedure to evaluate the effectiveness of correctional education programs, to include criteria similar to those utilized by DOE.

(4)(g)

Develop a compensation and classification plan for correctional educators which is competitive with school districts salaries and includes a step pay plan.

(4)(h)

Develop a procedure for maintaining a list of substitute teachers so that students will not be temporarily displaced in the event a regular instructor is absent for any reason.

4(j)

Annually update the 5-year comprehensive plan for correctional education. The plan shall require the director to:

1. Work with PRIDE to develop training programs for offenders.
2. Develop measurable objectives.
3. Develop quality control mechanisms.
4. Interface academic and vocational training with participation in prison industries programs.

(4)(l)

Develop a staffing and funding formula for correctional education.

(4)(n)

Maintain procedures to secure appropriate entitlement funds from federal and state grant sources to supplement the annual legislative appropriation.

Source: Developed by Office of the Auditor General staff based on information by CESA's Director and Board Chairperson.

CESA also has not established goals, objectives, and performance measures that would enable the Board or the Legislature to determine whether CESA was complying with the requirements set forth in statute. For example, s. 242.68, F.S., requires the Director to annually update a 5-year comprehensive plan for correctional education. The plan is to include measurable objectives, quality control mechanisms, and cooperative efforts with the prison industry program (PRIDE). While CESA has developed a 5-year comprehensive plan for the period 1991-96, the plan has not been updated annually as

required. In addition, CESA has not developed performance measures such as input, output, outcome, and efficiency indicators for assessing progress in achieving its planned objectives. The failure to complete these requirements reduces management's ability to identify whether CESA's activities are accomplishing its mission.

CESA's Director said that many of the deficiencies in CESA's performance existed prior to his appointment as Director in December 1992, and that he was in the process of determining how best to remedy the deficiencies. He also indicated that reductions in CESA's budget and in the number of authorized positions have restricted CESA's ability to comply with some statutory responsibilities. CESA's records indicate the number of correctional education general revenue authorized staff positions has been reduced from 569 in July of 1989 to 284 in July of 1993.

We reviewed the Board's minutes for the period from January 1992 through September 1993 to determine whether the Board had advised the Legislature of its inability to meet its statutory responsibilities. Our review disclosed no Board action to advise the Legislature that it could not comply with the statutes or to request that the Legislature revise or delay its statutory responsibilities.

CESA is currently in the process of developing a strategic plan, to be completed by January 1995. The Board has approved a mission statement, and the Director has established a contract with a State University System professor for assistance in developing a strategic plan. However, as of December 1, 1993, CESA had not developed a plan to fulfill its statutory requirements.

Conclusion and Recommendations

CESA has not established clearly defined goals, objectives, and performance measures that would serve to provide overall direction to their activities. Without established goals and objectives, neither the Board nor the Legislature can determine whether CESA is

meeting its statutory requirements. Although we recognize that reductions in CESA's budget have caused CESA to cut back on the level of services provided, we believe it is essential that CESA's Board provide overall direction and accountability to ensure that existing resources are used as efficiently and effectively as possible.

We recommend that the Director of Correctional Education develop a system of management controls to periodically assess and report on the status of CESA's compliance with its statutory responsibilities. The system of management controls should also contain goals, objectives, and performance measures that can be used to evaluate CESA's performance. We recommend that the Board periodically include a review of CESA's statutory compliance in its agenda, and include an assessment of the status of that compliance in CESA's annual report.

Finding 1.2

CESA has not established procedures to assure that inmates most likely to benefit from correctional education are identified and assigned to facilities that offer correctional education. As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes.

Although most inmates could be described as "needing" education, CESA had full-time and part-time work stations in January 1993 to serve approximately 13% of the inmate population at that time, or about 6,210 of the over 48,000 inmates. Information contained in a January 1993 CESA document, titled "Inside CESA", stated that the average inmate (new admissions) claimed to have a grade level of 10+ years, but averaged scoring only a grade level of 5.4 years on a pretest of the Test of Adult Basic Education (TABE). Additionally, 75% of the current inmate population tested below the 9th grade level. These test results indicate a strong need for literacy education. However, all inmates who "need" education may not be likely to benefit from correctional education programs. For example,

an inmate with health or security problems, or who lacks interest in education, may not benefit from education as much as inmates who demonstrate good classroom behavior and an interest in learning. Therefore, to set priorities for the use of its resources, CESA needs to ensure that it identifies and places those inmates in its programs who are most likely to benefit from correctional education.

In light of this need to set priorities for the use of its resources, s. 242.68, F.S., requires the Board to develop guidelines in cooperation with DOC to identify which inmates will most likely benefit from correctional education and to assure that those inmates are assigned to facilities that offer correctional education courses. Section 242.68, F.S., also establishes certain priorities for CESA to provide educational opportunities to inmates whose length of incarceration is sufficient for educational programming. These priorities include, in the following order, the opportunity to attain functional literacy, to obtain the equivalent of a public high school education, and to gain entry-level marketable vocational skills.

In June 1991, CESA and DOC developed an agreement that contained guidelines for identifying inmates most likely to benefit from educational programs and assuring that inmates identified as likely candidates for education services are assigned to institutions that provide those services. The agreement includes a summary of the information to be collected by DOC during the intake process, and factors to be considered in identifying whether an inmate is likely to benefit from education.

The identification of inmate educational needs is initially made during the intake process by DOC staff at the inmate reception centers. As a part of collecting information on the social, employment, and criminal history of the inmate, DOC staff administer educational tests and interview inmates regarding educational and vocational backgrounds and interests. DOC staff make recommendations regarding inmate participation in various programs, including educational programs. These recommendations are included in the admission summary that becomes a part of the inmate's permanent file.

At the conclusion of the intake process, inmates are assigned to permanent institutions, which may or may not have educational programs. A recommendation to participate in educational programs is one factor that is considered by DOC staff in assigning inmates to permanent institutions. Other factors include inmate custody level, medical grade, available bed space, and DOC needs for specific skills or inmate labor. At those institutions with educational programs, CESA staff participate in the screening and placement of inmates in educational programs.

The agreement between CESA and DOC states that DOC classification staff and CESA staff at the inmate's assigned institution identify those inmates most likely to benefit from education, and that DOC classification staff assign those inmates to education programs as soon as possible. The agreement does not indicate how the identification and assignment of inmates identified as likely to benefit from education is to be recorded and monitored. Furthermore, CESA has not established procedures for its staff to assure that inmates likely to benefit from education are identified and assigned to educational programs.

The agreement established by CESA and DOC does not set forth criteria to clearly distinguish between the general population of inmates who "need" education and those inmates who are likely to benefit from education. Although CESA can serve only about 13% of the inmate population at any given time, CESA has not clearly defined a target population for its services. While CESA maintains lists of inmates referred for educational services at individual institutions and waiting for placement, these lists are not necessarily indicative of the number of inmates identified as likely to benefit from education. For example, these waiting lists may include inmates who have expressed an interest in education but do not have an identified need.

To determine the effects of not clearly identifying which inmates are likely to benefit from education, we obtained information on the educational participation of a sample of inmates who had been in the state prison system for a long enough period to have completed educational programming. We reviewed the files of 459 inmates who had been

released in April 1993 from their first term of incarceration, and who had been in the state prison system for one year or more.⁷ We reviewed information from the DOC database and from inmate files to determine the reception center recommendation regarding education, to obtain data regarding educational need as indicated by test scores, and to determine whether the inmates participated in educational programs. We found that:

- Recommendations made during the intake process did not affect placements in correctional education programs; and
- Forty percent of the inmates whose test scores indicated a need for literacy education, the highest priority educational program, were not placed in educational programs. CESA does not maintain documentation regarding the reasons why inmates who need literacy education were not assigned to educational programs.

Recommendations for Education Do Not Lead to Placement

Inmates recommended for educational programs during their initial assessment were no more likely to have received educational services than inmates who were not recommended for educational services during their initial assessments. Of the 459 inmates in our sample, 373 (81%) were recommended for education during the intake process. Our review showed that 213 of the 373 inmates recommended for educational services (57%) were placed in correctional education programs during their incarceration. We also found that, of the 86 inmates not recommended for educational programs during their initial assessment, 58 (67%) were placed in educational programs. (See Exhibit 6.)

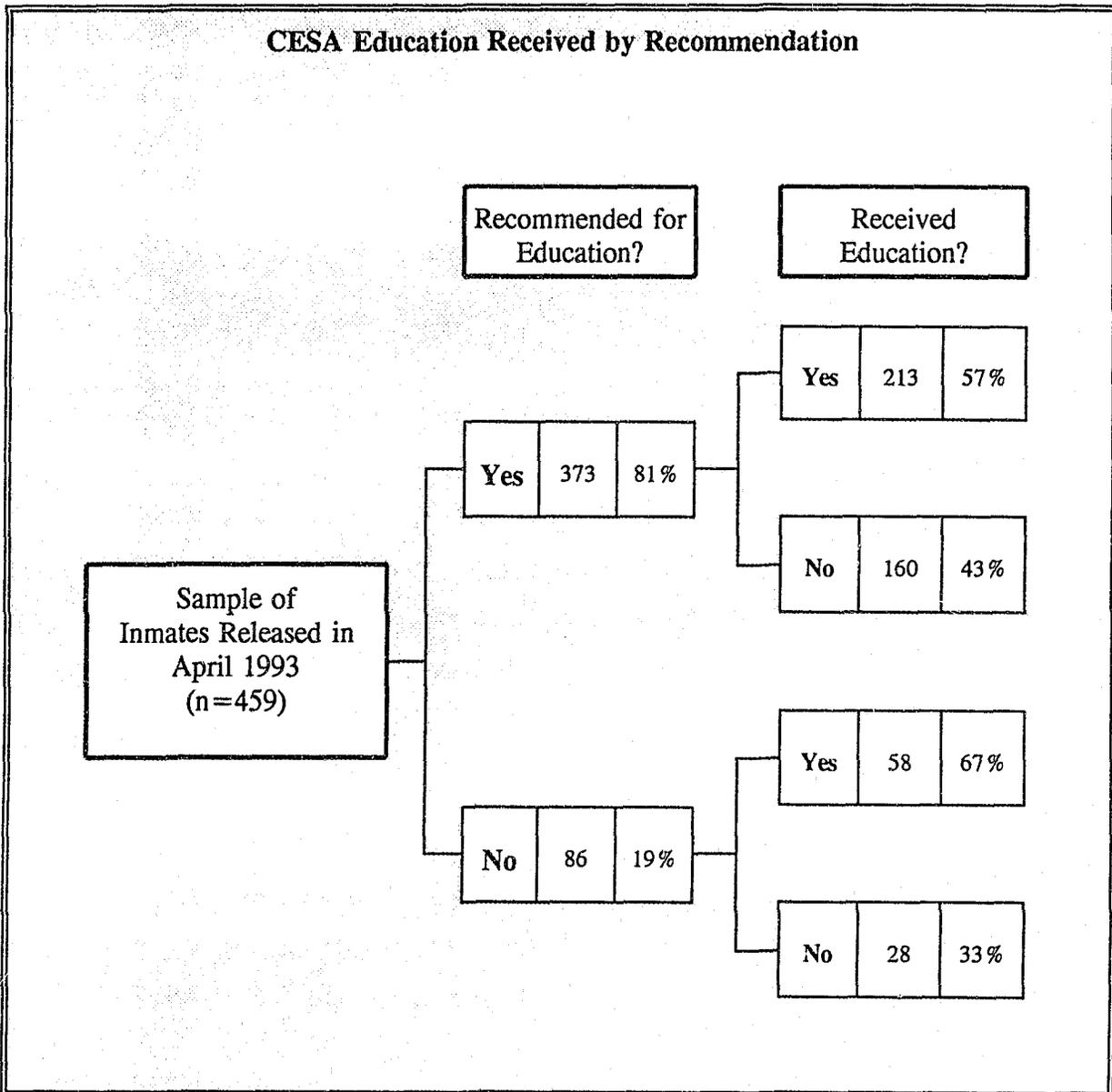
We also found that the agreement between CESA and the Department in June 1991 did not appear to have improved the use of the intake recommendations for identifying educational needs and placing inmates in educational programs. Of the 459 inmates in our

⁷ The 459 inmates in our sample represent approximately 18% of the inmates released during the month of April 1993. Approximately 52% of the inmates released during that month had been previously incarcerated within the Department of Corrections. We excluded this group from analysis because of the additional steps that would have been required to sort correctional education data received during this incarceration from previous incarcerations. An additional 30% of the inmates released during April 1993 were first-time state prisoners who spent less than one year in prison. We excluded these inmates because they may not have had time to complete educational programming.

sample, 196 (43%) were admitted between July 1, 1991, and April 30, 1992, after the June 1991 agreement between CESA and the Department. We compared data for inmates admitted before July 1, 1991, with those admitted after, and found that over 80% of both groups had been recommended for education. We also found that, in both groups, a greater percentage of inmates not recommended for education during the intake process were placed in education during their incarceration than those inmates recommended for education.

Exhibit 6

CESA Education Received by Recommendation



Source: Office of the Auditor General review of CESA data and inmate files.

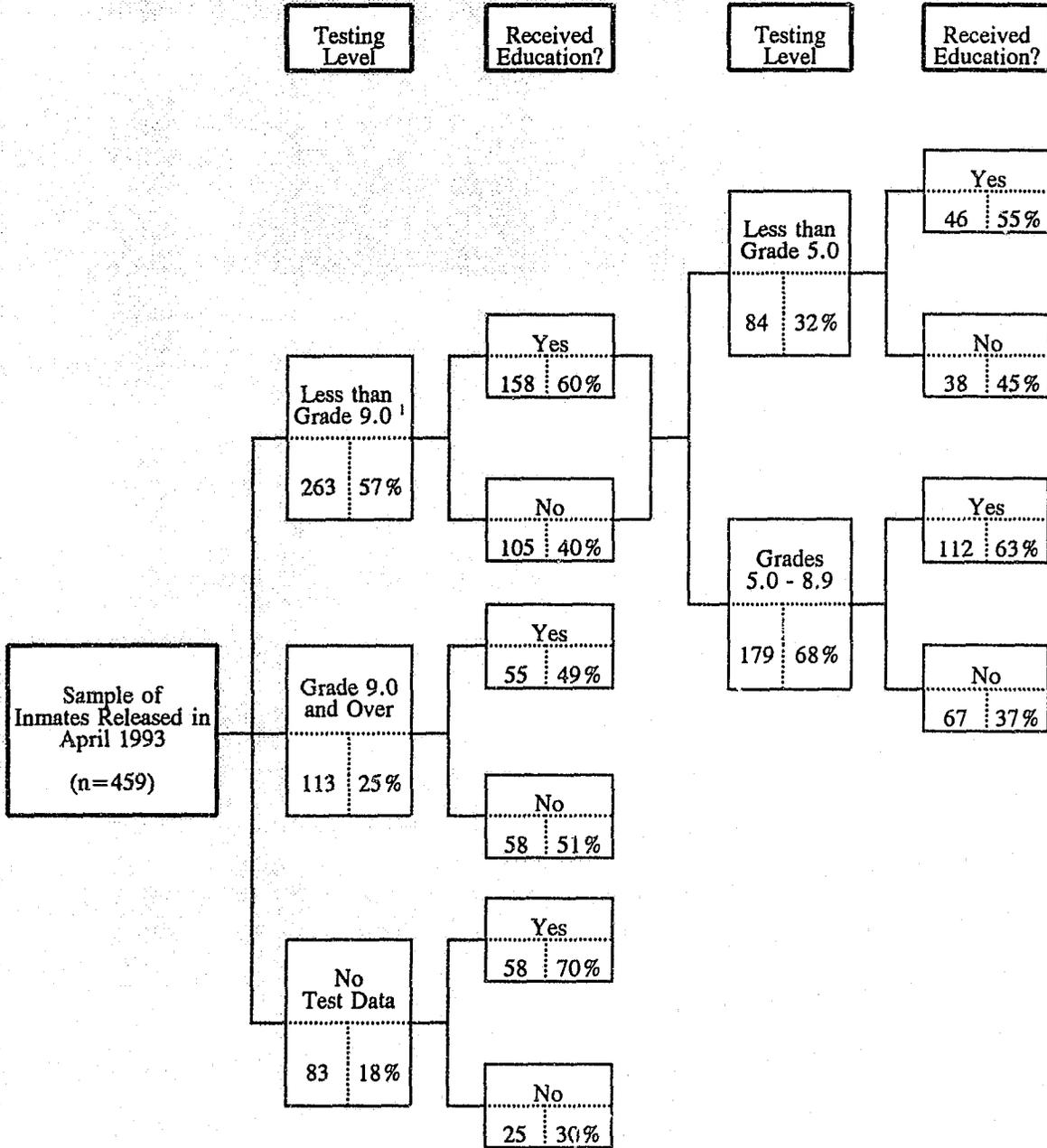
Forty Percent of Inmates Needing Literacy Education Were Not Assigned to Education

Literacy education is the highest priority of CESA's educational programs, and as much as 75% of the inmate population may need literacy education. In our sample, 263 (70%) of the 376 inmates with reception center test scores documented in their files scored below the 9th grade level. Therefore, we analyzed the results of our file review to determine whether these inmates were placed in educational programs.

We found that inmates whose test scores indicated a need for literacy education were somewhat more likely to be placed in education than those inmates whose scores indicated a need for a high school diploma or vocational education. Of the 263 inmates in our sample who tested below the 9th grade level, indicating a need for literacy education, 158 (60%) participated in correctional education during their incarceration, compared with 55 (49%) of the 113 inmates who scored at the 9th grade level and above. However, 105 inmates (40% of those testing below the 9th grade level) did not receive education during their incarceration. This group included 38 inmates who tested below the 5th grade level. (See Exhibit 7.) CESA does not maintain documentation that would enable us to determine why inmates whose test scores indicated a need for literacy were not assigned to educational programs.

Exhibit 7

CESA Education Received by Testing Level



¹ Inmates scoring below the 9th grade level represented 70% of the 376 for which reception center test data was available.

Source: Office of the Auditor General review of CESA data and inmate files.

Conclusion and Recommendation

We found that CESA has established guidelines in cooperation with DOC regarding the identification of inmates most likely to benefit from correctional education and the assignment of those inmates to facilities where education is available. However, these guidelines do not include provisions for recording and monitoring the identification and assignment of inmates likely to benefit from education. As a result, CESA cannot ensure that it provides educational services to those inmates who are most likely to benefit. Furthermore, CESA has not established procedures to ensure that educational needs are served according to priorities established in s. 242.68, F.S. These priorities include, in the following order, the opportunity to attain functional literacy, to attain the equivalent of a public high school education, and to gain entry-level marketable vocational skills.

We recommend that the Board of Correctional Education establish procedures in cooperation with the Department of Corrections to record and monitor the identification and assignment of inmates who are most likely to benefit from education. We also recommend that the Board of Correctional Education establish procedures to ensure that inmate educational needs are served according to priorities established by statute.

Finding 1.3

CESA has not ensured that complete and reliable statistics are collected and maintained, and does not have procedures to ensure that information is comparable across years. Furthermore, CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission.

Section 242.68, F.S., requires CESA to develop, maintain and report complete and reliable statistics on the number of certificates awarded, changes in inmate literacy levels, and on admissions to and withdrawals from correctional education. Furthermore, good management controls require that governmental entities collect and maintain data that

will provide a basis to assess how well an agency is meeting its mission and fulfilling its statutory requirements.

To evaluate CESA's efforts to collect, maintain, and report data, we interviewed CESA staff and reviewed available CESA data. We found that CESA has established mechanisms for collecting data regarding the number of certificates awarded, changes in inmate literacy levels, and inmate participation, as well as a variety of other types of data that could potentially be useful to CESA. However, we identified three major deficiencies in these data collection mechanisms:

- CESA has not ensured that complete and reliable statistics are collected and maintained;
- CESA does not have procedures to ensure that information is comparable across years; and
- CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission.

CESA Has Not Ensured That Complete and Reliable Statistics Are Collected and Maintained

CESA has established procedures for the collection of data through monthly data reports from CESA institution staff and through the Department of Corrections' Offender Based Information System. We found, however, that CESA has not ensured that complete and reliable statistics regarding correctional education are collected and maintained. As a result, CESA has incomplete and unverified information regarding its program activities and results.

CESA uses two primary mechanisms to collect data about inmate participation in its programs and the results of these programs. The first mechanism is a monthly reporting system in which CESA instructors are required to submit information to CESA's Central Office regarding the average daily enrollment and attendance in each educational

program, certificates awarded, and reasons for inmate withdrawals from those programs. This information is then available to CESA management for compilation into monthly, quarterly, or annual management reports.

CESA has not developed procedures to ensure that the data submitted each month is complete and reliable, or that supporting documentation for the data is maintained or verifiable. In August 1993, CESA's research director stated that CESA had incomplete data available for the 1992-93 fiscal year. For example, when we requested data for the 1992-93 fiscal year, the research director said that CESA's central office did not have copies of the monthly reports submitted by the institutions for the 6-month period of July 1992 - December 1992. Without these institutional reports, CESA could not determine the number of certificates awarded or the number of inmates participating in education at the various institutions during those months. To calculate the data for those months, CESA's Research Director asked institutional CESA staff to resubmit the reports for those months.

The second data collection mechanism is the Department of Corrections Offender Based Information System, which contains data on the educational needs, participation, and accomplishments of individual inmates. However, we found that the Offender Based Information System did not include all of the data on individual inmate participation that would be necessary to determine which inmates participated in education, how long they participated, whether they received an educational diploma or vocational certificate, and whether their academic achievement as measured by test scores improved. For example, the scores for tests administered at reception centers were missing in 287 (63%) of the 459 cases in our sample. In addition, the Offender Based Information System information indicated zero hours of participation for 84 inmates who had entered and exited educational programs on different dates, including 20 inmates who apparently completed the program. Attempts to measure the effect of correctional education on recidivism and other post-release outcomes such as employment will be of limited use without accurate information regarding test scores, entry and exit dates, the number of hours of participation, and certificates received by the inmates.

Although CESA has developed mechanisms for collecting data on correctional education, CESA has not developed procedures to verify the data. CESA has not established procedures regarding the maintenance of supporting documentation for data submitted to CESA's central office for the monthly summary reports, nor has it established procedures to verify the data for accuracy or completeness. Similarly, CESA has not established procedures to verify that accurate and complete data is entered into the Offender Based Information System.

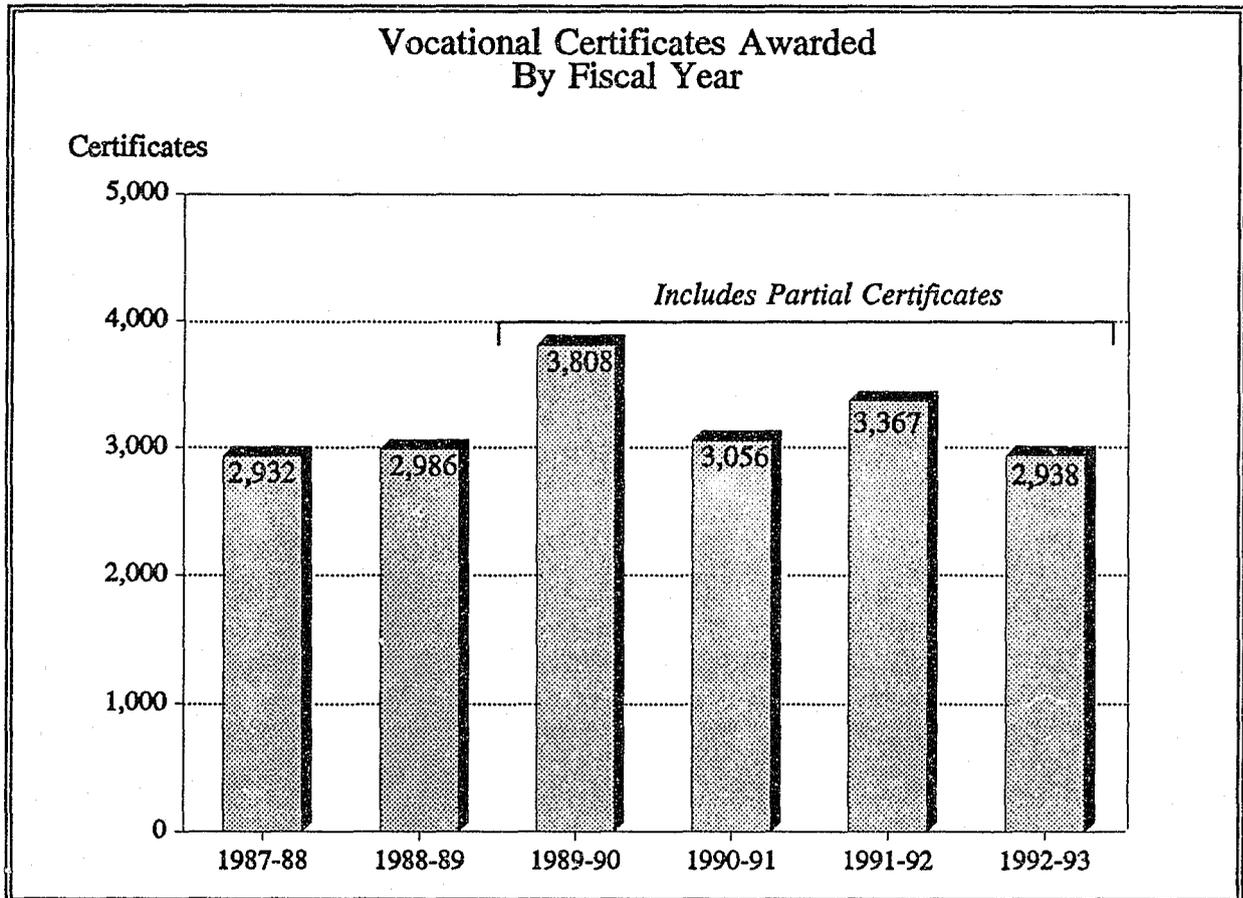
CESA Does Not Have Procedures To Ensure That Information Is Comparable Across Years

One consideration in the maintenance and collection of data is ensuring that the data can be used to compare agency performance from year to year. By following consistent data collection and maintenance procedures, an agency can assess the effect of changes in agency policies or practices on agency performance, and the Legislature can determine from reported data whether the agency is improving its performance. We found that CESA has not established procedures to ensure that its data can be compared across years. As a result, CESA cannot assess the effect of changes in agency policies and practices on agency performance, and the Legislature cannot determine from reported data whether the agency has improved its performance.

Data on vocational certificates cannot be used to make comparisons across years. (See Exhibit 8.) CESA began issuing partial certificates during the 1988-89 fiscal year, identifying "modules" of the various vocational courses for which an inmate could receive a partial vocational certificate. Partial certificates enable CESA to recognize vocational achievements accomplished by inmates who do not stay in prison long enough to complete a vocational course. However, CESA continued to report the total number of certificates issued each year without differentiating between partial and complete certificates. As a result, CESA's data for vocational certificates indicates fluctuations in the number of certificates issued beginning in 1989-90 without indicating how many of those certificates

were partial certificates. Failing to distinguish between partial and complete certificates makes comparing the number of certificates awarded across years less meaningful.

Exhibit 8



Source: Correctional Education School Authority.

Other data that may suffer from problems of comparability includes daily enrollment and attendance figures, which our interviews with institutional CESA staff suggested may not be reported the same for each educational program. CESA's procedures for completing these monthly reports do not provide guidance regarding the definition of enrollment and attendance for certain unique correctional situations. For example, one CESA instructor said inmates who are placed in confinement are immediately removed from the enrollment roster, whereas another instructor said he waits for a few days to see if the inmate returns before removing the inmate from the roster.

CESA Has Not Developed Procedures to Compile and Report Data to Satisfy Statutory Reporting Requirements or to Determine Whether It Is Fulfilling Its Mission

During the 1992-93 fiscal year, CESA discontinued the practice of compiling monthly management reports based upon the monthly data provided by CESA institutional staff. They also reduced the amount of data that institutional staff were required to submit each month. These steps were taken when reductions in CESA's budget and the number of authorized staff positions led to a reduction in the size of the Central Office staff and the elimination of clerical positions at the institutions that could assist with data reporting.

Our review of monthly reports from prior years, however, disclosed that those reports did not compile data in a way that would enable CESA to determine whether it was fulfilling its mission. These reports provided information regarding the number of inmates participating in correctional education without indicating whether CESA was serving inmates identified as likely to benefit from education.

We also found that, as of December 1, 1993, CESA had not issued an annual report to the Legislature for fiscal years 1991-92 and 1992-93. CESA is required to report reliable statistics regarding its educational program activities annually to the Legislature. Such reports are necessary to demonstrate to the Legislature whether correctional education has resulted in improvements and changes in the inmate's academic performance and vocational skills. This information can be used to make decisions regarding the allocation of the state's limited resources.

CESA prepared a draft annual report for the 1991-92 fiscal year, but the Director told us that concerns about the reliability of the data contained within the report led him to decide not to issue the report. To resolve the problems he had identified with the data, the Director hired a planning, research, and evaluation administrator in July 1993 who was familiar with both corrections and education data. However, as of December 1, 1993, the 1992-93 annual report had not been issued.

Conclusion and Recommendations

CESA's system of data collection does not produce complete and reliable statistics that can be used to inform the Legislature regarding whether CESA is meeting its mission or provide information for management decisions. Furthermore, CESA's data is not always comparable across years. As of December 1, 1993, CESA had not published an annual report for either the 1991-92 or 1992-93 fiscal years, and CESA had not established procedures to compile and report data necessary to determine whether it is fulfilling its mission.

We recommend that CESA place a high priority on developing and implementing procedures to ensure that complete and reliable statistics are collected and maintained. CESA should work with its staff to ensure that necessary data is provided in the most efficient manner possible, and to identify whether current data collection procedures involve duplicative information.

We also recommend that CESA develop procedures to assure that data is comparable across the years. Although a partial vocational certificate can be a meaningful measure of inmate achievement, CESA records should distinguish between partial and complete certificates.

We also recommend that CESA establish procedures to ensure that data is reported to the Legislature as required by statute, and that data be compiled and reported in a way that enables both CESA and the Legislature to determine whether CESA is fulfilling its mission.

Finding 1.4

Other states use various correctional educational organizational structures, including systems supervised by Department of Corrections staff and entities with educators setting policy, similar to CESA.

In 1986, the Legislature authorized the establishment of the Correctional Education School Authority (CESA), with the appointment of a board to oversee education in Florida's prison system. The concept provided correctional education with a measure of independence from the security priorities of the Department of Corrections.

To review organizational structures used in other states, and whether these structures have any identifiable effects on correctional education, we contacted a national correctional education association, reviewed a comprehensive survey of state correctional educational programs, and interviewed staff of correctional education programs in 11 states.⁸ Our review disclosed that states use a variety of organizational structures for correctional education, with three primary variations:

1. Organizational location of the correctional education program;
2. Establishment of a correctional education school board; and
3. Supervision of educational staff by other than correctional institution personnel.

Organizational Location. Of the 11 states we contacted, 8 have correctional education programs organizationally located within corrections agencies: California, Georgia, Illinois, Indiana, New York, North Dakota, Ohio, and South Carolina. The remaining three states (Alabama, Texas and Virginia) have placed correctional education within a state agency other than corrections. In Alabama, adult correctional education is

⁸ "Gehring, Thom; Results of a Nationwide Survey: Correctional Education Organizational Structure Trends; Journal of Correctional Education, Volume 41, Issue 4, December 1990. The states we contacted were Alabama, California, Georgia, Illinois, Indiana, New York, North Dakota, Ohio, South Carolina, Texas, and Virginia.

provided under the Department of Postsecondary Education, with six two-year colleges providing programs for incarcerated individuals. In Virginia, inmate education is provided through the Department of Correctional Education, a separate state agency under the Governor, with the Secretary for Public Safety being responsible for the program. In Texas, correctional education operates as a separate school district reporting to the Department of Criminal Justice.

School Boards. Three states have established school boards to oversee correctional education operations. In Virginia, similar to Florida, the Governor appoints seven members to the board in addition to four nonvoting members from designated state agencies. In Texas, the State Board of Criminal Justice, consisting of nine citizens appointed by the Governor, also sits as the correctional education school board. In Illinois, although the correctional education program is located within the Illinois Department of Corrections, the program is designated as a separate school district with a school board. Board members include the director of the Department of Corrections as chairman, his three deputy directors, and five lay members appointed by the director. These boards vary in the extent to which they set policies, hire and fire employees, and carry out administrative activities.

Supervision of Education Staff by Corrections Staff. Eight of the eleven states we contacted have the correctional education program housed within the correctional agency. One state, Ohio, has assigned educators in the central office with responsibility for program oversight, including policy decisions and the supervision of all educational staff. Two states, North Dakota and Illinois, have assigned oversight of the correctional education program to correctional administrators in the central office. Educational staff at the institutions report directly to these administrators. The remaining five states (California, Georgia, Indiana, New York, and South Carolina) give the prison warden or superintendent supervisory authority over the educational staff at the institution. Educational staff in the agency's central office generally provide policy direction or technical assistance in these states, but have no supervisory authority over the educational staff at the institutions.

Issues and Problems in Correctional Education

As a part of our limited review, we asked officials about the problems encountered within correctional education. Officials that we interviewed mentioned two primary types of problems encountered within correctional education: the need for additional educational capacity and funds, and inmate placement and turnover (the competition for inmates between education needs and institutional needs, as inmates may be removed from educational programs by correctional staff when needed to fill institutional maintenance functions).

We asked the officials in each of the 11 states to estimate the portion of the inmate population that could be served by correctional education. Although officials reported wide variations in educational capacity, organizational structure did not appear to be a significant factor in the capacity of the educational program. For example, each of the 11 officials reported the capacity to serve a larger portion of the prison population than the 13% that can be served in Florida. The states that had established school boards to oversee correctional education reported having slots available to serve from 20% to 40% of the total prison population, compared to from 15% to 48% in states without a school board.

With regard to inmate placement and turnover problems, our interviews suggested that cooperation and communication between educational and correctional staff at the institutional level is an important factor in the resolution of these problems. For example, three officials mentioned that the establishment of teams of educational and correctional staff to make placement decisions at the institution is most useful in resolving placement and turnover problems.

Officials also identified strengths of the correctional education programs in their states. The most commonly mentioned strength was the quality of instructional staff. Officials indicated that instructional staff are required to meet the same certification requirements as public school staff and are paid salaries that are competitive with public

school salaries. Section 242.68, F.S., requires CESA to ensure that its teachers are certified and to develop a salary plan that is competitive with school district salaries. As of June 30, 1993, CESA reported that 97% of its 294 instructors were certified, but that their salaries were an average of approximately 30% below average state school district salaries.⁹ Other strengths of correction education that were mentioned included:

- Providing a measurable positive effect on recidivism rates;
- Clearly defined goals, missions, and priorities;
- Competency-based vocational programs;
- Job placement programs to supplement the correctional education program; and
- Innovative programs, such as a live-in literacy program in which instructors go to the dormitories to provide literacy education, and computer assisted reading and math education programs.

In addition, officials in each of the three states in which education was located outside the corrections agency said that independence from the corrections agency was a strength. For example, location outside the corrections agency provides a perception of independence for the educational program that was helpful in the recruitment of professional staff, it allows educators to pursue educational goals without having to concentrate on security issues, and it allows offenders to be treated as students rather than inmates.

⁹ CESA reported that eight instructors had certifications pending as of June 30, 1993.

Conclusions

Our review disclosed that states are using a variety of organization structures both within and outside of the correctional agency. We concluded from the states we contacted that:

- Eight of the 11 states have assigned responsibility for correctional education to their corrections agency, and only one of the three states with education located outside the corrections agency (Virginia) is set up similar to Florida;
- Although organizational structure does not appear to affect capacity to serve, each of states we contacted reported the capacity to serve a larger portion of their prison population than the 13% that can be served in Florida;
- Cooperation and communication between educational and correctional staff at the institutional level is useful in resolving placement and turnover problems among inmates in correctional education programs; and
- The quality of instructional staff was the most commonly mentioned strength of correctional education. Independence from the corrections agency was also a strength mentioned by officials in each of the three states with programs located outside the corrections agency.

Appendices

<u>Appendix</u>	<u>Page</u>
A. File Review Methodology	42
B. CESA Academic and Vocational Programs As of June 30, 1993	43
C. Board of Correctional Education As of September 1, 1993	44
D. Specific Statutory Requirements of CESA	45
E. Response From Correctional Education School Authority	49

Appendix A

File Review Methodology

We reviewed files of first-time incarcerated offenders released from prison during April 1993 who served one year or longer in prison. We selected this subpopulation for three main reasons:

- 1) These offenders were incarcerated long enough to receive education;
- 2) The files of offenders with multiple incarcerations would have been too time-consuming to review because of the additional steps that would have been required to sort correctional data received during this incarceration from previous incarcerations; and
- 3) Selecting April 1993 allowed sufficient time for inmate records to reach the inactive file warehouse.

To select our sample, we obtained from the Department of Corrections a data tape containing demographic, offense-related, and education-related data for the offenders released during April 1993. Of the 499 first-time incarcerated offenders who served one year or more, 40 inmates had re-entered the correctional system since their April 1993 release. This reduced the number of available cases for review to 459 cases.

We reviewed information from the DOC data base and from the inmate files regarding educational need as indicated by test scores, reception center recommendations regarding the need for education, and whether the inmates participated in education programs.

Appendix B

CESA Academic and Vocational Programs As of June 30, 1993

Program

Academic

Adult Basic Education
Chapter 1
General Equivalency Diploma
Mandatory Literacy
Special Education

Vocational

Air Conditioning, Refrigeration & Heating Mechanics
Apparel Design
Apparel Production
Auto Mechanics
Basic Auto Body
Basic Cabinet Making
Basic Gasoline Engine Mechanics
Basic Sheet Metal
Basic Welding
Building Maintenance
Business Administration Operations
Clerk Typist
Commercial Foods & Culinary Arts
Commercial Vehicle Driving
Computer Electronic Technology
Consumer Electronic Repair
Cooperative Education
Cosmetology
Custodial Services
Data Entry
Diesel Mechanics
Drafting
Hotel/Motel Operations
Masonry Skills
Painting & Decorating
Power Sewing Machine Operator
Printing & Graphic Arts
Residential Carpentry
Residential Electric Wiring
Residential Plumbing
Shoe Repair & Leather Work
Upholstery
VCR Service & Repair
Waste Water Treatment Plant Operator
Water Treatment Plant Operator

Appendix C

Board of Correctional Education As of September 1, 1993

Name	Term Expires
Bob Connors Deputy Director for Instructional Programs, Department of Education Designee for Honorable Betty Castor Commissioner of Education	Permanent
Wilson C. Bell Assistant Secretary for Programs, Department of Corrections Designee for Secretary Harry K. Singletary Department of Corrections	Permanent
Chris Antwi Labor, Employment Training Administrator, Bureau of Compliance Department of Labor and Employment Security Designee for Secretary Shirley Gooding Department of Labor and Employment Security	Permanent
Timothy J. Mann Director of Employment Services, Prison Rehabilitative Industries and Diversified Enterprises Designee for President Pamela Davis, Ph.D. Prison Rehabilitative Industries and Diversified Enterprises	Permanent
Bill N. Hampton Director of Vocational Education (Retired) Ridge Vocational Training Center Winter Haven, Florida	August 31, 1995
Victoria Hernandez Director of Alumni Affairs Florida International University Miami, Florida	August 31, 1995
Daniel J. Valdez, Chair Director, Adult and Community Education Hillsborough County School District Tampa, Florida	August 31, 1995

Note: As of September 1, 1993, there were two vacancies.

Source: CESA.

Appendix D

Specific Statutory Requirements of CESA

Section 242.68, F.S., provides the specific responsibilities that pertain to the operation and administration of educational programs for inmates. Table D-1 summarizes the requirements of s. 242.68, F.S.

Table D-1

**The Requirements of the Board of Correctional Education
as Defined by Section 242.68, Florida Statutes:**

(Shaded sections represent specific statutory requirements with which CESA has not fully complied.)

(2)(g)1.	Adopt and enforce all necessary rules for the management and operation of educational programs within the Department of Corrections. In adopting rules the board shall consider DOC operating procedures and goals of correctional education. Rules adopted by the board shall not conflict with DOC rules relating to security or any applicable rules adopted by DOE.
(2)(g)2.	Develop written cooperative agreements with DOC outlining the duties and responsibilities of the school authority and its staff and DOC institutional personnel.
(2)(g)3.	Develop guidelines for collecting education-related information during the inmate reception process and for disseminating such information to classification staff of DOC. The information collected shall include the inmate's areas of educational or vocational interest, vocational skills, and level of education.
(2)(g)4.	Develop guidelines, in cooperation with DOC, for identifying which inmates would most likely benefit from correctional education. The guidelines shall be based on the inmate's academic and vocational needs, the inmate's level of interest, and the length of time the inmate is expected to remain in prison.
(2)(g)5.	Develop guidelines, in cooperation with DOC, that assure that inmates who are identified as likely to benefit from correctional education are assigned to facilities that offer correctional education courses.
(2)(g)6.	Develop guidelines for the school authority staff concerning the behavioral control of inmates while in education programs and the reporting of behavioral problems.
(2)(g)7.	In cooperation with DOE, pursuant to s. 229.565, monitor and assess all inmate education program services and report the results of such evaluation in the board's annual report of its activities.
(2)(g)8.	Establish and adopt criteria to annually evaluate the Director of Correctional Education and set the compensation and salary of the director.
(2)(g)9.	Adopt rules governing the compensation and salary of teachers and other education personnel.
(2)(g)10.	Visit and inspect schools at reasonably frequent intervals.
(2)(g)11.	Approve education programs of the appropriate levels and types in the correctional institutions and adopt rules for the admission of inmate students thereto.
(2)(g)12.	Enter into agreements with public or private school districts, entities, community colleges, junior colleges, colleges, or universities, as may be deemed appropriate for the purpose of carrying out its duties and responsibilities, and ensure that agreements require minimum performance standards and standards for measurable objectives, in accordance with established DOE standards.
(2)(g)13.	Review and approve the budget request for the correctional education program.
(2)(g)14.	Review and approve the 5-year comprehensive plan for correctional education.
(2)(g)15.	Review and approve goals and objectives related to all phases of the correctional education program.
(2)(g)16.	Report the board's annual activities to the Secretary of Corrections, the Commissioner of Education, the Governor, and the Legislature.

(2)(g)17. Develop and maintain complete and reliable statistics on the number of general educational development (GED) certificates and vocational certificates issued by each institution in each skill area, the change in inmate literacy levels, and the number of inmate admissions to and withdrawals from education courses. The compiled statistics shall be summarized and analyzed in the annual report of the correctional education activities required by subparagraph 16.

(2)(g)18. Develop a written procedure for selecting programs to add to or delete from the vocational curriculum.

(2)(g)19. Ensure that correctional education programs comply with the policies set by the board and with public policies and goals and objectives of the state, which include, in the following order of priority:

- a. Providing every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming with the opportunity to achieve functional literacy.
- b. Providing every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming, and who has demonstrated the intellectual capacity to benefit therefrom, with the opportunity to obtain the equivalent of a public high school education.
- c. Ensuring that every inmate who has an expectation of release from custody within 5 years and whose length of time in prison is sufficient for educational programming be released possessing at least entry-level marketable vocational skills in one or more occupational fields for which there is a demonstrable demand in the economy of this state.
- d. Ensuring that every inmate be released possessing life management skills which will allow him to function successfully in a free society.
- e. Providing that inmates who demonstrate college-level aptitudes be provided the opportunity to participate in college-level academic programs which may be offered within correctional facilities.

(2)(g)20. Ensure, in cooperation with DOC, that every inmate who has 2 years or more remaining to serve on his sentence at the time that he is received at an institution and who lacks basic and functional literacy skills attends not fewer than 150 hours of sequential instruction in a correctional adult basic education program:

- a. Upon completion of the 150 hours of instruction, the inmate shall be retested and, if a composite test score of functional literacy is not attained, the authority is authorized to require the inmate to remain in the instructional program.
- b. Highest priority of inmate participation shall be focused on youthful offenders and those inmates nearing release from the correctional system.
- c. An inmate shall be required to attend the 150 hours of adult basic education instruction unless such inmate:
 - (I) Is serving a life sentence or is under sentence of death.
 - (II) Is specifically exempted for security or health reasons.
 - (III) Is housed at a community correctional center, road prison, work camp, or vocational center.
 - (IV) Attains functional literacy after attendance in fewer than 150 hours of instruction.
 - (V) Is unable to enter such instruction because of insufficient facilities, staff, or classroom capacity.
- d. CESA shall provide classes to accommodate those inmates assigned to correctional or public work programs after normal working hours.
- e. If an inmate actively participates in the 150 hours of instruction, the educational program manager shall recommend, and DOC may grant, a one-time award of up to six additional days of incentive gain-time, which must be credited and applied as provided by law.

(2)(g)21. Recommend to DOC the award of additional gain-time for inmates who receive a GED certificate or vocational certificate.

**The Requirements of the Director of Correctional Education
as Defined by Section 242.68, Florida Statutes:**

(4)(a)	Supervise the administration of the school authority.
(4)(b)	Develop standardized correctional education curricula which shall be in accordance with DOE standards.
(4)(c)	Ensure that correctional education programs provide minimum performance standards, basic functional literacy skills, and marketable vocational skills which are in accordance with established DOE standards.
(4)(d)	In cooperation with DOE, pursuant to s. 229.565, F.S., develop and maintain a procedure to evaluate the effectiveness of correctional education programs, to include criteria similar to those utilized by DOE.
(4)(e)	In concurrence with the institution superintendent, recommend the institution education program manager, who shall be the chief education administrator responsible for the daily operation and administration of the institution educational program, to the board for appointment.
(4)(f)	Ensure that all educational staff are certified in accordance with DOE standards.
(4)(g)	Develop a compensation and classification plan for correctional educators which is competitive with school districts salaries and includes a step pay plan.
(4)(h)	Develop a procedure for maintaining a list of substitute teachers so that students will not be temporarily displaced in the event a regular instructor is absent for any reason.
(4)(i)	Develop a mechanism to test all offenders committed to the custody of DOC, unless said offenders are specifically excluded from the testing requirement by board policy.
(4)(j)	Annually update the 5-year comprehensive plan for correctional education. The plan shall require the director to: <ol style="list-style-type: none"> 1. Work with PRIDE to develop training programs for offenders. 2. Develop measurable objectives. 3. Develop quality control mechanisms. 4. Interface academic and vocational training with participation in prison industries programs.
(4)(k)	Develop goals and objectives relating to all phases of the correctional education program.
(4)(l)	Develop a staffing and funding formula for correctional education.
(4)(m)	Prepare the legislative budget request for the entire correctional education program and submit it to the Board of Correctional Education. The Director shall be responsible for all expenditures pursuant to appropriations.
(4)(n)	Maintain procedures to secure appropriate entitlement funds from federal and state grant sources to supplement the annual legislative appropriation.
(4)(o)	Be responsible, along with the Board of Correctional Education, for all academic education and vocational training programs.
(4)(p)	Specify which educational facilities shall offer vocational training and which programs shall be available.
(4)(q)	Ensure that vocational training programs complement existing PRIDE programs whenever possible. Such vocational training programs shall be in accordance with standards established by DOE.
(4)(r)	In conjunction with DOC, determine conditions under which an inmate may be removed from an education program or the classroom.
(4)(s)	Assess and identify, within 60 days of admission at the receiving facility, inmates who have special education needs and develop a plan whereby those special needs will be addressed.

Source: Section 242.68, F.S.

Appendix E
Response From the
Correctional Education School Authority

In accordance with the provisions of s. 11.45(7)(d), F.S., a list of preliminary and tentative audit findings was submitted to the Director of Correctional Education for his review and response.

The Director's written response is reprinted herein beginning on page 50.



CORRECTIONAL EDUCATION SCHOOL AUTHORITY

2601 Blair Stone Road Tallahassee, Florida 32399-2500 Telephone: (904) 487-2270

BOARD MEMBERS

Daniel Valdez
Chairman

Victoria Hernandez
Vice-Chairman

Harry K. Singletary
Betty Castor
Shirley Gooding
Pamela Jo Davis

•
Director of
Correctional Education
Carl J. Zahner, Ph.D.

January 10, 1994

Mr. Charles Lester
Office of the Auditor General
Post Office Box 1735
Tallahassee, Florida 32302-1735

Dear Mr. Lester:

Thank you for the opportunity to review the preliminary findings of the performance audit which your office has conducted on the operations of the Correctional Education School Authority (CESA) .

It is my opinion that the audit and its criticisms are an excellent tool to assist this agency in the completion of its extensive revitalization process. As indicated in our attached response to the findings, CESA has already made progress in rectifying some of the problems noted in the audit findings.

We appreciate the extensive work performed by your audit team. Be assured that this agency will diligently pursue appropriate resolution of the problems noted.

Please let me know if I can be of further assistance.

Sincerely,

Carl J. Zahner, Ph.D.
Director of Correctional Education

CJZ/rrh

Attachment

**Correctional Education School Authority (CESA)
Response to Auditor General's Findings**

Finding 1.1

"CESA has not fully complied with many of its statutory mandates including the requirement to establish goals, objectives, and performance measures to assess its correctional education programs."

CESA concurs with the recommendation to develop management controls to periodically assess and report on the status of CESA's compliance with statutory responsibilities and the recommendation that the Board periodically review the status report at Board meetings and include such reports in the CESA Annual Report.

During the past eight months CESA has implemented a strategic planning process which serves as the primary management tool to provide for these control mechanisms.

On June 2, 1993, the Board adopted the Mission Statement for the organization. This was followed by an in-depth process in which CESA established priority issues/goal statements, identified problems/opportunities and designed objectives to implement the major priority issues. The January 1994 Board agenda includes the 1993-94 Strategic Plan. Future Board agendas will be designed to address the priority issues/goals with reports of actions taken to achieve the goals. The goals are designed to implement the statutory intent of an effective educational program in the prisons.

The Correctional Education School Authority is proposing statutory changes for consideration during the 1994 Legislative Session to provide for broad statutory mandates based on current education needs and rule authority as appropriate where specificity is needed.

Finding 1.2

"CESA has not assured that inmates most likely to benefit from correctional education are identified and assigned to facilities that offer correctional education. As a result, CESA cannot assure that inmates with priority educational needs receive education during incarceration or that CESA's resources are used according to the priorities established in statutes; . . ."

In recent years, prior to FY 94, CESA had no staff at reception centers and was dependent on the Department of Corrections (DC) staff for assessment and identification of inmate education needs and for inmate assignment to institutions. This assessment deficiency is partially addressed by the new special education Placement and Transition Specialists in each of the five reception centers funded this year by the Legislature. This is further addressed in the FY 94-95 Legislative Budget Request which asks for additional staff to provide more comprehensive assessments and to participate in inmate assignment decisions.

It is important to note that CESA does not control educational placement and that many other valid criteria concerning each inmate are considered in their assignment. In an environment of over crowded prisons, security, available bed space and custody level are important considerations.

At the same time, correctional education is funded to serve 10-15 percent of the inmate population while 80-100 percent of the inmates need some kind of education program. Statutory requirements of serving every inmate are not realistic expectations under these circumstances.

To address these concerns, CESA is finalizing a new interagency agreement between DC-CESA-DOE. It will work to build stronger cooperative relationships with DC staff and DOE resources to improve the assignment process. CESA will design a means for tracking inmates recommended for education and inmate participation in education with a coding system for showing reasons for non-participation.

Finding 1.3

"CESA has not ensured that complete and reliable statistics are collected and maintained, and does not have procedures to ensure that information is comparable across years. Furthermore, CESA has not developed procedures to compile and report data to satisfy statutory reporting requirements or to determine whether it is fulfilling its mission."

The Director of Correctional Education, appointed in December, 1992, immediately recognized the necessity for improving CESA's research and planning capabilities. Personnel changes in this area were made during 1992-93 and significant efforts are being exerted to improve CESA data collection and utilization of data for appropriate programmatic decisions. These actions include an improved computer system with a revised data collection process. Additionally, in cooperation with the Department of Corrections, new data elements in a revised format have been designed which will enhance the reliability of all statistics collected by CESA and allow for accurate reporting of progress in achieving statutorily assigned mission requirements.

Thus, while the system and the data collected for the period relevant to this report were deficient, actions have been taken to correct the problems.

Finding 1.4

"Other states use various correctional educational organizational structures, including systems supervised by Department of Corrections staff and entities with educators setting policy, similar to CESA."

Comparisons with other states are helpful as measuring sticks and for providing new ideas for common concerns. This section of the report is supportive of correctional education and indicates a need for Florida to evaluate its investment in inmate education. CESA is resolved to continue to improve and enhance cooperation and communication between educational and correctional staff at all levels. CESA will also continue to request necessary funds through the Legislature and other resources to fund qualified staff and to operate effective education programs for changing inmates.