

Self-Evaluation Report Instructions



***Sunset Advisory Commission
June 2021***

INSTRUCTIONS

Each agency under Sunset review is required by Texas Government Code, Section 325.007 to complete a Self-Evaluation Report (SER) on its operations. The SER is designed to provide the Sunset Commission members and staff with a general background description of each agency being reviewed. The SER also gives each agency an opportunity to provide the commission with a preview of issues and suggested improvements regarding the agency and its functions.

The SER contains 12 sections. Agencies should record their responses to each question directly on this electronic document before submitting it as an accessible pdf file, as discussed below. Answers should be typed in the white space beneath each question. Use as little or as much room as needed to answer each question. Since the SER is intended to be a learning instrument, and you are the instructor, Sunset is quite flexible in how various charts and sections apply to your operations. If the information requested does not apply to your agency, either provide similar information to reflect actual agency practices or enter "N/A" in the space provided. In charts, add or delete rows, change column widths, and renumber exhibits as necessary, or rename chart headings to better reflect agency practices. If a chart is not applicable, indicate so and delete the blank chart.

If your agency already produces information requested in the SER in a different document, you may attach that document instead, but please note this and provide a summary of the document in the SER.

When your agency provides statistics, performance measures, or other data to answer the SER questions, please also provide basic information regarding the methodology used to collect and report that data.

This document also contains examples for certain sections of the SER. Please note, some examples from prior SERs may not reflect changes made in the current instructions. Links are provided to jump directly from one part of the document to another, and can be accessed by clicking on the text indicating an example. Reviewing the background and issues sections of recent Sunset staff reports will also be helpful in preparing certain sections of the SER. Recent Sunset staff reports are available on the Sunset website at www.sunset.texas.gov.

Once your SER is complete, update the appropriate page numbers on the table of contents and delete the text regarding Instructions, Attachments, and Examples before submitting it to the Sunset Commission.

By September 1, 2021, please submit an [accessible](#) pdf file of the SER and attachments to Trisha Linebarger at trisha.linebarger@sunset.texas.gov. Please redact any personally identifiable information, such as social security numbers or medical information, from any documents you provide to Sunset. If available, please provide the Sunset Commission with one hard copy of the SER to verify the pdf. To the extent feasible, please provide attachments only in electronic form.

As of 2013, it is the responsibility of the agency under Sunset review, not the Sunset Commission, to submit copies of the agency's SER directly to the Texas State Library and Archives Commission. Sunset no longer maintains the SER as part of its retention schedule and will not keep copies of these reports after the review is complete. Agencies should submit copies of their SERs to the Publications Depository Program to fulfill the archival requirement. If you have any questions, please contact your agency's assigned Government Information Analyst at the Texas State Library and Archives Commission.

We encourage you to contact Darren McDivitt at darren.mcdivitt@sunset.texas.gov of the Sunset staff at (512) 463-1992 with any questions, or email them to the Sunset Commission at sunset@sunset.texas.gov. We will make every effort to minimize the additional workload this report places on your agency.

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Office of Independent Ombudsman for the Texas Juvenile Justice Department Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 1: Agency Contacts**

	Name	Address	Telephone & Fax Numbers	Email Address
Agency Head	JD Robertson	11209 Metric Blvd, Bldg H, Ste A Austin TX 78758	(512) 963-3603 Fax: (512) 490- 7626	JD.Robertson@tjjd.texas.gov
Agency's Sunset Liaison	JD Robertson	11209 Metric Blvd, Bldg H, Ste A Austin TX 78758	(512) 963-3603 Fax: (512) 490- 7626	JD.Robertson@tjjd.texas.gov

Table 1 Exhibit 1 Agency Contacts

II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in Section VII.

A. Provide an overview of your agency's mission, objectives, and key functions.

The Office of Independent Ombudsman (OIO) was established for the purpose of investigating, evaluating, and securing the rights of children committed to the Juvenile Justice Department, including a child released under supervision before final discharge. Legislation enacted during the 84th Legislative Session (Senate Bill 1630), expanded those duties to include county post-adjudication facilities and contract facilities where county post-adjudicated youth are placed.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed?

The key function of securing the rights of youth committed to the Juvenile Justice Department remains to be a top priority as the Juvenile Justice Department continues to be embroiled in high staff turnover rates, staff shortages, high incidence of youth self-harming, high incidence of sexual misconduct by staff members, and high juvenile recidivism rates. These are the very reasons this agency was created by Legislative action in 2007.

C. What, if any, functions does your agency perform that are no longer serving a clear and ongoing purpose? Which agency functions could be eliminated?

There are no agency functions that should be eliminated.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?

The Human Resources Code, Section 261 continues to provide sufficient guidance to properly reflect the agency mission, objectives and functions.

E. Have you previously recommended changes to the Legislature to improve your agency's operations? If so, briefly explain the recommended changes, whether or not they were adopted, and if adopted, when.

Not Applicable

F. Do any of your agency's functions overlap or duplicate those of another local, state, or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

It is important to note, the Office of Independent Ombudsman is outside the Executive Leadership of the Juvenile Justice Department. This places the agency in a unique position to objectively identify and report issues within the Juvenile Justice Department. The Juvenile Justice Department has two agencies that have some overlapping duties. TJJD Monitoring and Inspections, who looks at Juvenile facilities and inspects the effectiveness of the facility services. In addition, TJJD Internal Audit also looks at some ancillary areas that the Ombudsman reviews. Duplication of efforts is not an issue as often times these two TJJD internal agencies use issues identified by the Ombudsman as a focus of their efforts. Inter-agency communication between all involved enhances reporting and minimizes duplication.

G. In general, how do other states carry out similar functions?

Many states have an office similar to the Independent Ombudsman for Juvenile offenders. In some states, child protective services fills the role. The intent is to have an unbiased advocate to ensure the rights of juvenile offenders are protected. The structure and chain of command remains the key element. In most cases, other states Ombudsman office is an internal agency to the Juvenile Justice Department. The Texas model is truly independent. The OIO is outside the chain of command of the executive Director and governing board of the Texas Juvenile Justice Department, which lends itself to greater objectivity and accuracy in reporting of internal issues affecting the rights of youth. Routinely, the OIO receives calls from other state Juvenile agencies seeking advice on developing a model that resembles the Texas OIO.

H. What key obstacles impair your agency's ability to achieve its objectives?

There are no identified obstacles to performing the agency key functions or objectives.

I. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).

There are currently no known changes that would impact the Independent Ombudsman.

J. Aside from additional staff or funding, what are your agency's biggest opportunities for improvement in the future? For example, are there other programs or duties the agency could take on to better carry out its mission?

The current reporting system is outdated and is no longer supported by existing software companies. The potential for loss of information or the entry of inaccurate information into existing databases was identified by the Chief Ombudsman in 2018. In August of 2019, the OIO entered into a joint cooperative with the TJJJ Office of Inspector General (OIG) to implement a consolidated reporting system to address the gaps in receiving and investigating complaints filed with the OIO. The new software and reporting database is currently in the development and implementation phase. Projected full implementation by October 2021. An audit conducted by the State Auditor's Office in September of 2020 also identified the same gaps in reporting, tracking and reconciling complaints. (September 2020, 21-001 Audit report on Complaint, Grievance and Allegation processing at the Juvenile Justice Department) The new database and reporting system should alleviate all concerns raised by the SAO. The multiple databases currently utilized should be consolidated under the new reporting software. Continuation of this software upgrade as well as Hardware infrastructure improvements were identified as a priority item in the agencies LAR. The agency budget does not contain line item funding for infrastructure improvement or upgrades. Funding for these type measure must allocated by the Legislature. Funding for this measure was listed as a priority in the LAR, which was not funded by the 87th Legislature.

K. Overall, how does the agency measure its effectiveness in carrying out its objectives?

The agency tracks the number of Juvenile offenders directly served during the fiscal year.

In the following chart, provide information regarding your agency's key performance measures, including outcome, input, efficiency, and explanatory measures. See Exhibit 2 Example. Please provide both key and non-key performance measures set by the Legislative Budget Board as well as any other performance measures or indicators tracked by the agency. Also, please provide information regarding the methodology used to collect and report the data.

Office of Independent Ombudsman for the Texas Juvenile Justice Department

Exhibit 2: Performance Measures — Fiscal Year 2020

Key Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Number of Juveniles Directly Served	N/A	N/A	3000	2630	87.67

Table 2 Exhibit 2 Performance Measures

*See Exhibit 3

Methodology: The number of juveniles directly served is the total number of juveniles interviewed by the OIO during the reporting period. This does not include orientation sessions and mailings to families that inform juveniles

and their families of the services offered by the OIO.

L. Please list all key datasets your agency maintains and briefly explain why the agency collects them and what the data is used for. Is the agency required by any other state or federal law to collect or maintain these datasets? Please note any “high-value data” the agency collects as defined by Texas Government Code, Section 2054.1265. In addition, please note whether your agency posts those high-value datasets on publically available websites as required by statute, and in what format.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 3: Key Datasets**

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
(Number)	TJJD/Contract Site Visits	The number of site visits conducted of TJJD operated facilities or facilities where TJJD has placed youth.	Agency	https://www.tjtd.texas.gov/index.php/doc-library/category/283-quarterly-reports	N
(Number)	County Post Adjudicated/Contract Facility Site Visits	The number of site visits conducted of county operated facilities or facilities where a county post-adjudicated youth has been placed.	Agency	https://www.tjtd.texas.gov/index.php/doc-library/category/283-quarterly-reports	N
	Number of Youth Interviews Conducted	The number of interviews conducted during facility site visits	Agency	https://www.tjtd.texas.gov/index.php/doc-library/category/283-quarterly-reports	N

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
	Closed Cases	The number of Individual Cases closed. An Individual Case is an issue related to a specific youth the ombudsman has worked to resolve.	Agency	https://www.tjtd.texas.gov/index.php/doc-library/category/283-quarterly-reports	N
	Inquiries and Referrals	The number of inquiries and complaints that upon review are either outside the scope of the OIO, a matter that should be addressed by facility staff or grievance process, or would be better addressed by another agency or group.	Agency	https://www.tjtd.texas.gov/index.php/doc-library/category/283-quarterly-reports	N

Table 3 Exhibit 3 Key Datasets

III. History and Major Events

Provide a timeline of your agency's history and key events, including

- the date your agency was established;
- the original purpose and responsibilities of your agency; and
- major changes in responsibilities or statutory authority.

Also consider including the following information if beneficial to understanding your agency

- changes to your policymaking body's name or composition;
- significant changes in state/federal legislation, mandates, or funding;
- significant state/federal litigation that specifically affects your agency's operations; and
- key changes in your agency's organization (e.g., the major reorganization of the Health and Human Services Commission and the Department of State Health Services' divisions and program areas, or the Legislature moving the Prescription Monitoring Program from the Department of Public Safety to the Texas State Board of Pharmacy).

2007

S.B. 103, 80th (R) Legislature, which became effective immediately after passage in June 2007, added Chapter 64 to the Human Resources Code, establishing the Independent Ombudsman (IO) for the Texas Youth Commission. This Legislative action occurred following the investigation by the Texas Rangers of reported sexual abuse by Texas Youth Commission (TYC) staff at several Youth facilities. The IO was established for the purpose of investigating, evaluating, and securing the rights of the children committed to TYC, including a child released under supervision before final discharge. According to S.B. 103, the Independent Ombudsman shall:

- Review the procedures established by the commission and evaluate the delivery of services to children to ensure the rights of children are fully observed,
- Review complaints filed with the Independent Ombudsman concerning the actions of the commission and investigate each complaint in which it appears that a child may be in need of assistance.
- Conduct investigations of complaints, other than complaints alleging criminal behavior.
- Review and inspect periodically the facilities and procedures of any institution or residence in which a child has been placed by the commission to ensure the rights of children are fully observed.

- Provide assistance to a child or family who the Independent Ombudsman determines is in need of assistance, including advocating with an agency, provider or other person in the best interest of the child.
- Recommend changes in procedure relating to the treatment of children committed to the commission.

2011

S.B. 653, 82nd (R) Legislature, effective September 1, 2011, merged the Texas Youth Commission and the Texas Juvenile Probation Commission, creating a new agency, the Texas Juvenile Justice Department. S. B. 653 maintained the Independent Ombudsman to oversee the rights of youth committed to the Texas Juvenile Justice Department. This bill also transferred Human Resources Code, Chapter 64 to Human Resources Code, Chapter 261.

2015

S.B 1630, 84th (R) Legislature, effective September 1, 2015, amended Human Resources Code, Sections 261.101 (a) and (c) to expand the powers and duties of the Independent Ombudsman to include post-adjudication correctional facilities and any other residential facility in which a child adjudicated as having engaged in conduct indicating a need for supervision or delinquent conduct is placed under court order.

IV. Policymaking Structure

Not Applicable

A. Complete the following chart providing information on your policymaking body members.

(Agency Name)
Exhibit 4: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by <i>(e.g., Governor, Lt. Governor, Speaker)</i>	Qualification <i>(e.g., public member, industry representative)</i>	City
(Text)	(Text)	(Text)	(Text)
(Text)	(Text)	(Text)	(Text)

Table 4 Exhibit 4 Policymaking Body

B. Describe the primary role and responsibilities of your policymaking body.

(Answer here)

C. How is the chair selected?

(Answer here)

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

(Answer here)

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2019? In FY 2020? Explain if the policymaking body met in-person or virtually during this time.

(Answer here)

F. Please list or discuss all the training the members of the agency’s policymaking body receive. How often do members receive this training?

(Answer here)

G. What information is regularly presented to your policymaking body to keep them informed about the agency’s operations and performance?

(Answer here)

H. How does your policymaking body obtain input from the public regarding issues under the agency’s jurisdiction? How is this input incorporated into the operations of your agency?

(Answer here)

I. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 5 Example. For advisory committees, please note the date of creation for the committee, as well as the abolishment date as required by Texas Government Code, Section 2110.008.

In addition, please attach a copy of any reports filed by your agency under Texas Government Code, Section 2110.007 regarding an assessment of your advisory committees as Attachment 28.

(Agency Name)
Exhibit 5: Subcommittees and Advisory Committees

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)	Creation and Abolishment Dates
(Text)	(Text)	(Text)	(Text)	
(Text)	(Text)	(Text)	(Text)	

Table 5 Exhibit 5 Subcommittees and Advisory Committees

V. Funding

A. Provide a brief description of your agency’s funding, including information about the most recent five percent budget reduction and any funding related to disaster relief or COVID-19, if applicable.

General Appropriations Act, Article V, Goal D.1.1

Appropriations for FY 20-21 equal \$1,941,454. Five percent reduction equals \$97,073.

B. List all riders that significantly impact your agency’s budget.

General Appropriations, Article V, Rider 34.

C. Show your agency’s expenditures by strategy. See Exhibit 6 Example.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 6: Expenditures by Strategy — Fiscal Year 2020 (Actual)**

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
D.1.1. Office of Independent Ombudsman	805, 476	100%	N/A

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
GRAND TOTAL:	805,476	100%	N/A

Table 6 Exhibit 6 Expenditures by Strategy

D. Show your agency’s sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 7: Sources of Revenue — Fiscal Year 2020 (Actual)**

Source	Amount
General Appropriations, Article V	805,476
TOTAL	805,476

Table 7 Exhibit 7 Sources of Revenue

E. If you receive funds from multiple federal programs, show the types of federal funding sources. See Exhibit 8 Example.

**(Agency Name)
Exhibit 8: Federal Funds — Fiscal Year 2020 (Actual)**

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
(Text)	(Number)	(Number)	(Number)	(Number)
TOTAL		(Number)	(Number)	(Number)

Table 8 Exhibit 8 Federal Funds

F. If applicable, provide detailed information on fees collected by your agency. Please explain how much fee revenue is deposited/returned to the General Revenue Fund and why, if applicable. See Exhibit 9 Example. Not Applicable

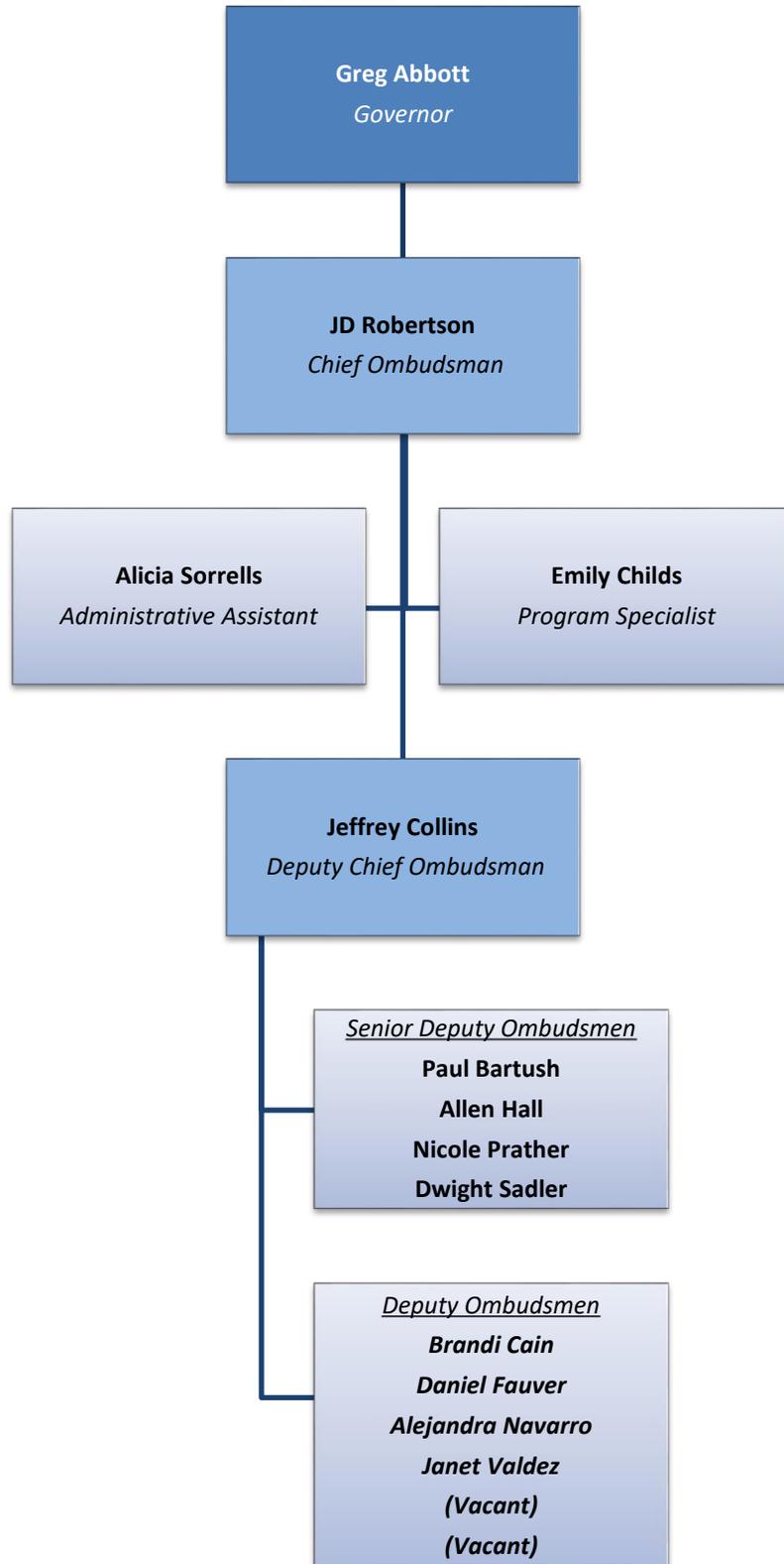
**(Agency Name)
Exhibit 9: Fee Revenue — Fiscal Year 2020**

Fee Description/ Program/ Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum	Number of Persons or Entities Paying Fee	Fee Revenue	Where Fee Revenue is Deposited <i>(e.g., General Revenue Fund)</i>
(Text)	(Text)	(Text)	(Text)	(Number)	(Number)	(Text)
(Text)	(Text)	(Text)	(Text)	(Number)	(Number)	(Text)

Table 9 Exhibit 9 Fee Revenue

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, department heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



B. If applicable, fill in the chart below listing field or regional offices. See Exhibit 10 Example.

Office of Independent Ombudsman for the Juvenile Justice Department

Exhibit 10: FTEs by Location — Fiscal Year 2021

Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs FY 2021	Number of Actual FTEs (as of SER submission)
Austin (HQ)	11209 Metric Blvd, Bldg H, Ste A Austin TX 78758	10	8
Mart	116 Burleson Rd Mart TX 76664	1	1
Fort Worth	2642 E Long Ave Fort Worth TX 76106	2	2
Edinburg	3801 E Monte Cristo Rd Edinburg TX 78541	1	1
		TOTAL: 14	TOTAL: 12

Table 10 Exhibit 10 FTEs by Location

C. What are your agency's FTE caps for fiscal years 2019–22?

14

D. How many temporary or contract employees did your agency have in fiscal year 2020? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

None

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program. See Exhibit 11 Example.**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 11: List of Program FTEs and Expenditures — Fiscal Year 2020**

Program	Actual FTEs FY 2020	Budgeted FTEs FY 2021	Actual Expenditures FY 2020	Budgeted Expenditures FY 2021
Conducting Site visits and Investigations	12	14	805,476	840,665
TOTAL	12	14	805,476	840,665

Table 11 Exhibit 11 List of Program FTEs and Expenditures

VII. Guide to Agency Programs

Complete this section for **each** agency program (or each agency function, activity, or service if more appropriate). Copy and paste questions A through P as many times as needed to discuss each program, activity, or function. Contact Sunset staff with any questions about applying this section to your agency.

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Conducting Facility Site Visits

Location/Division: Office of Independent Ombudsman

Contact Name: JD Robertson, Chief Ombudsman

Statutory Citation for Program: Texas Human Resources Code, Section 261

Name of Program or Function: Investigating and Evaluating the Rights of Youth Committed to the Juvenile Justice Department

Location/Division: Office of Independent Ombudsman

Contact Name: JD Robertson, Chief Ombudsman

Statutory Citation for Program: Texas Human Resources Code, Section 261

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Objective of these programs is to ensure the Juvenile Justice Department adheres to a prescribed minimum standard of services as required by law to youth committed to the care, custody and control of the Department. Refer also to Item F below. Site visits and investigations center on the fourteen rights afforded to youth committed to the Department:

- 1) **Right to Equal Treatment** – youth have the right not to be discriminated against because of race, sex, language, national origin, disabilities, sexual orientation, gender identity, religion, or personal opinions.
- 2) **Right of Free Speech and Expression**
- 3) **Right of Religious Freedom**
- 4) **Right to Personal Possessions**
- 5) **Right to receive visitors**
- 6) **Right of Access to Mail and Telephone**
- 7) **Right to Earnings and Monetary Gifts**

- 8) **Right to Protection from Physical and Psychological Harm** – this includes the right to adequate food, clothing, and shelter, and may not be deprived of food or sleep in the interests of treatment or discipline.
- 9) **Right to Medical and Dental Care**
- 10) **Right to Access Attorneys**
- 11) **Right to be informed** – youth have the right to be informed of all rights, policies, procedures, and rules affecting them while in custody.
- 12) **Right to Accuracy and Fairness in Decision Making**
- 13) **Right to Confidentiality of Records** – youth have the right to EXPECT that their records WILL NOT BE RELEASED TO ANYONE other than those AUTHORIZED BY LAW to have access to them.
- 14) **Right to Express Grievances and Appeal Decisions**

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

**Office of Independent Ombudsman for the Juvenile Justice Department.
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020**

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Number of Juvenile Offenders Served	(Number)	(Number)	3000	2630	87.67
(Text)	(Number)	(Number)	(Number)	(Number)	(Percent)

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

Refer to the Section on History.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Not Applicable

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

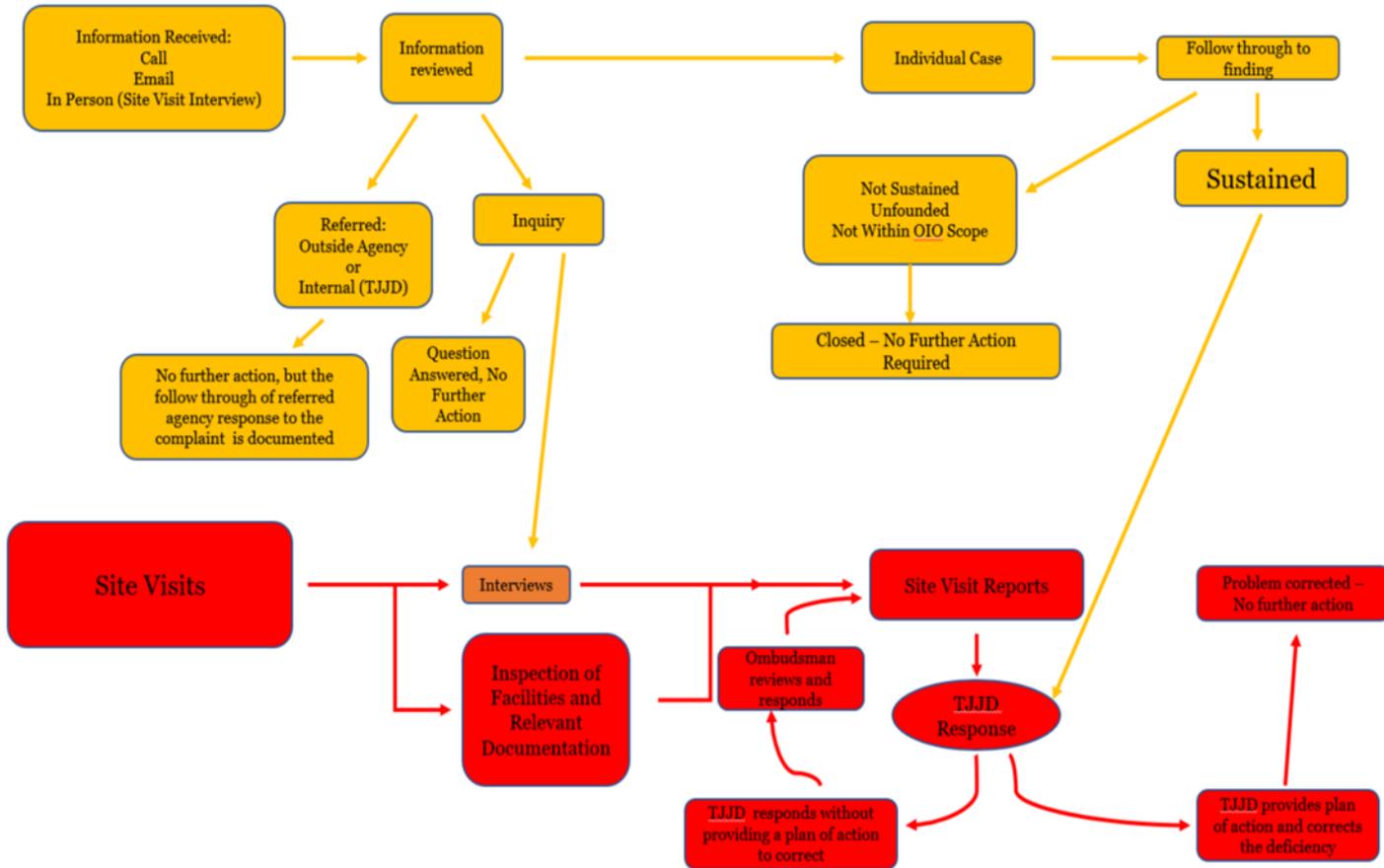
Ombudsmen are assigned a territory and conduct site visits of facilities according to a set schedule. Secure facilities operated by TJJJ and secure contract facilities are visited once a month. The remaining facilities, including TJJJ halfway houses, TJJJ parole offices/regions, and contract facilities are visited once a quarter, with the exception of out of state contract facilities, which are visited at least once a year. Each facility is evaluated to ensure the rights of youth are fully observed and every site visit includes a review of the educational services provided, the general treatment programs provided, and the facility security. During the site visit, when applicable, the ombudsmen observe educational classes, treatment groups, youth movement across the campus, and youth interactions with each other and staff, as well as review available documentation. Additionally, during each site visit, random interviews are conducted with a variety of youth and staff to learn of possible rights violations or safety concerns. Within 10 business days after returning to the office, the Ombudsman submits a site visit report draft to a supervisor(s) for review. Once all edits and corrections are made to the report, it is sent to TJJJ for comment. TJJJ has 30 days to provide a written response to the site visit. If TJJJ provides a response within 30 days, the final site visit report, including TJJJ's responses, is distributed to the Independent Ombudsman's (IO) stakeholders. If a response is not received from TJJJ within 30 days, the final report is distributed to the IO's stakeholders without TJJJ's response.

Complaints received by the IO are reviewed and processed by Ombudsmen as individual cases or may be addressed within a site visit. Individual cases may be received via telephone calls, emails, and interviews during facility site visits. The IO maintains a hotline, which is accessible through the youth telephones in all TJJJ facilities. The hotline number is posted in all facilities visited and during site visits, IO staff ensure youth have the ability to call the IO hotline to make a complaint. Individual cases are assigned to the ombudsman responsible for conducting site visits of the applicable facility. To achieve a complaint resolution, the ombudsman reviews all relevant documentation and interviews parties involved with the complaint. Individual cases are closed as sustained, unfounded, not sustained, or not within OIO scope. Upon the closure of an individual case, the complainant is notified either in person or in writing of the outcome of the case. After an individual case is closed, the ombudsman prepares an individual case report. This report includes a description of the case, the name of the complainant, a description of all documentation reviewed, a chronological list of all contacts made and a description of the contact, the outcome of the case, and a description of the notification provided to the complainant or a copy of the letter sent to the complainant. Individual cases reports are reviewed by a supervisor to ensure the case was resolved correctly.

Processes for receiving and investigating complaints (REACTIVE)

And

Processes for conducting and reporting activities discovered in site visits to secured facilities (PROACTIVE)



G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All funding is derived through General Revenue based on baseline funding appropriated by the State Legislature. Article V, Goal D.1.1, and Rider 34

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

There are no known internal or external agencies that provide identical functions.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Interagency MOU with the TJJJ Office of Inspector General. Receiving, coordinating and investigating complaints initiated via hotline calls. The MOU governs how hotline calls for assistance are answered, prioritized and assigned based on the nature of the complaint.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Prison Rape Elimination Act (PREA). This is a Federal statute which prescribes guidelines for correctional facilities to reduce and eliminate sexual violence within correctional settings. The Independent Ombudsman uses these guidelines to determine compliance of juvenile correctional facilities. Compliance with the standards established by this guideline are an indication of the overall health of a facility.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

Not Applicable

L. Provide information on any grants awarded by the program.

Not Applicable

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

None.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Not Applicable

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;

- **follow-up activities conducted when non-compliance is identified;**
- **sanctions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

It is important to note, the Independent Ombudsman does not license, certify or permit any person, business or other entity. The agency does conduct inspections on licensed and certified juvenile correctional facilities with procedures for addressing issues or complaints against these regulated entities. Refer to Section VII., Item F for details on program administration. See also, Item P below.

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

Complaints received by the IO are reviewed and processed by Ombudsmen as individual cases or may be addressed within a site visit. Individual cases may be received via telephone calls, emails, and interviews during facility site visits. The IO maintains a hotline, which is accessible through the youth telephones in all TJJJ facilities. The hotline number is posted in all facilities visited and during site visits, IO staff ensure youth have the ability to call the IO hotline to make a complaint. Individual cases are assigned to the ombudsman responsible for conducting site visits of the applicable facility. To achieve a complaint resolution, the ombudsman reviews all relevant documentation and interviews parties involved with the complaint. Individual cases are closed as sustained, unfounded, not sustained, or not within OIO scope. Upon the closure of an individual case, the complainant is notified either in person or in writing of the outcome of the case. After an individual case is closed, the ombudsman prepares an individual case report. This report includes a description of the case, the name of the complainant, a description of all documentation reviewed, a chronological list of all contacts made and a description of the contact, the outcome of the case, and a description of the notification provided to the complainant or a copy of the letter sent to the complainant. Individual cases reports are reviewed by a supervisor to ensure the case was resolved correctly.

**Office of Independent Ombudsman
(Regulatory Program Name)
Exhibit 13: Information on Complaints Against Regulated Persons or Entities
Fiscal Years 2019 and 2020**

	Fiscal Year 2019	Fiscal Year 2020
Total number of regulated persons	N/A	N/A
Total number of regulated entities	121	112
Total number of entities inspected	112	110
Total number of complaints received from the public	36	13
Total number of complaints initiated by agency	2	0
Number of complaints pending from prior years	5	2
Number of complaints found to be non-jurisdictional	3	16
Number of jurisdictional complaints	49	7
Number of jurisdictional complaints found to be without merit	21	3
Number of complaints resolved	52	19
Average number of days for complaint resolution	58.5	119.9
Complaints resulting in disciplinary action:	N/A	N/A
administrative penalty	(number)	(number)
reprimand	(number)	(number)
probation	(number)	(number)
suspension	(number)	(number)
revocation	(number)	(number)
other	(number)	(number)

Table 13 Exhibit 13 Information on Complaints Against Persons or Entities

VIII. Statutory Authority and Recent Legislation

A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2015–2020, or earlier significant Attorney General opinions, that affect your agency’s operations.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 14: Statutes / Attorney General Opinions**

Statutes

Citation / Title	Authority / Impact on Agency <i>(e.g., “provides authority to license and regulate nursing home administrators”)</i>
Human Resources Code, Chapter 261	Provides for the establishment of the independent ombudsman and sets forth the agency’s duties and powers.

Table 14 Exhibit 14 Statutes

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
(Text)	(Text)

Table 15 Exhibit 14 Attorney General Opinions

B. Provide a summary of significant legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass but were significant, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency. See Exhibit 15 Example.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 15: 87th Legislative Session**

Legislation Enacted

Bill Number	Author	Summary of Key Provisions
(Number)	(Text)	(Text)

Table 16 Exhibit 15 Legislation Enacted 87th Leg

Legislation Not Passed

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
(Number)	(Text)	(Text)

Table 17 Exhibit 15 Legislation Not Passed 87th Leg

IX. Major Issues

The purpose of this section is to briefly describe any potential issues raised by your agency, the Legislature, or stakeholders that Sunset could help address through changes in statute to improve your agency's operations and service delivery. Inclusion of an issue does not indicate support, or opposition, for the issue by the agency's board or staff. Instead, this section is intended to give the Sunset Commission a basic understanding of the issues so staff can collect more information during our detailed research on your agency. Some questions to ask in preparing this section may include: (1) How can your agency do a better job in meeting the needs of customers or in achieving agency goals? (2) What barriers exist that limit your agency's ability to get the job done?

Emphasis should be given to issues appropriate for resolution through changes in state law. Issues related to funding or actions by other governmental entities (federal, local, quasi-governmental, etc.) may be included, but the Sunset Commission has no authority in the appropriations process or with other units of government. If these types of issues are included, the focus should be on solutions that can be enacted in state law.

For river authorities, Texas Government Code, Section 325.025 limits the scope of Sunset reviews to each authority's governance, management, operating structure, and compliance with legislative requirements. However, river authorities may provide information about major issues facing the authority even if they are outside this limited scope. Previously, this type of information has provided valuable context for understanding the authority's current situation and operations.

This section contains the following three components.

A. Brief Description of Issue

B. Discussion

Background. Include enough information to give context for the issue. Information helpful in building context includes:

- What specific problems or concerns are involved in this issue?
- Who does this issue affect?
- What is the agency's role related to the issue?
- Any previous legislative action related to the issue?

C. Possible Solutions and Impact

Provide potential recommendations to solve the problem. Feel free to add a more detailed discussion of each proposed solution, including:

- How will the proposed solution fix the problem or issue?
- How will the proposed change impact any entities or interest groups?

- How will your agency's performance be impacted by the proposed change?
- What are the benefits of the recommended change?
- What are the possible drawbacks of the recommended change?
- What is the fiscal impact of the proposed change?

Complete this section for **each** issue. Copy and paste components A through C as many times as needed to discuss each issue. ***See Major Issue Example.***

X. Other Contacts

A. Fill in the following charts with updated information on people with an interest in your agency, and be sure to include the most recent email address.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 16: Contacts**

Interest Groups

(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Appleseed Deborah Fowler	Austin, Texas	512-473-2800	dfowler@texasappleseed.net
(Text)	(Text)	(Number)	(Address)

Table 18 Exhibit 16 Interest Groups

Interagency, State, or National Associations

(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
TJJD Office of Inspector General Forrest Mitchel	11209 Metric Blvd, Bldg H, Austin TX 78758	512-490-7751	forrest.mitchell@tjtd.texas.gov
TJJD Internal Audit Eleazar Garcia	11209 Metric Blvd, Bldg H, Austin TX 78758	512-490-7190	eleazar.garcia@tjtd.texas.gov

Table 19 Exhibit 16 Interagency, State, and National Association

Liaisons at Other State Agencies

(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Legislative Budget Board Nicole Ascano	1501 North Congress, Austin, TX 78701	512-463-1200	nicole.ascano@lbb.texas.gov
(Text)	(Text)	(Number)	(Address)

Table 20 Exhibit 16 Liaisons at Other State Agencies

XI. Additional Information

A. Texas Government Code, Section 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment. See Exhibit 17 Example.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 17: Evaluation of Agency Reporting Requirements**

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Aggregated Reports	Human Resources Code, Section 261	Quarterly	Juvenile Justice Board, Governor, Lt. Governor, Legislature, and State Auditor	work performed, results of reviews or investigations, and any recommendations	Required by Statute Yes, the report is still needed as this is the method by which significant issues related to juvenile offenders rights are identified, reported and addressed.
Disaggregated reports by Facility	Human Resources Code, Section 261	Quarterly	Juvenile Justice Board, Governor, Lt. Governor, Legislature, and State Auditor	work performed, results of reviews or investigations, and any recommendations	Required by Statute Yes, the report is still needed as this is the method by which significant issues related to juvenile offenders rights are identified, reported and addressed.

Table 21 Exhibit 17 Agency Reporting Requirements

Note: If more than one page of space is needed, please provide this chart as an attachment, and feel free to convert it to landscape orientation or transfer it to an Excel file.

B. Does the agency's statute use "person-first respectful language" as required by Texas Government Code, Section 325.0123? Please explain and include any statutory provisions that prohibit these changes.

Yes, there are no statutory provisions which prohibit or conflict with "first person" use.

C. Please describe how your agency receives and investigates complaints about the agency and its operations.

Complaints against the agency operations may be received by phone, mail, electronic mail or in person. All complaints against agency operations are investigated and documented by the Chief Ombudsman.

Fill in the following chart detailing information on complaints received about your agency and its operations. Do not include complaints received about people or entities you regulate.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 18: Complaints Against the Agency — Fiscal Years 2019 and 2020**

	Fiscal Year 2019	Fiscal Year 2020
Number of complaints received	1	0
Number of complaints resolved	1	0
Number of complaints dropped / found to be without merit	0	0
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	30 days	N/A

Table 22 Exhibit 18 Complaints Against the Agency

D. Fill in the following charts detailing your agency's Historically Underutilized Business (HUB) purchases. See Exhibit 19 Example. Sunset is required by law to review and report this information to the Legislature.

It should be noted that By Statute, the Juvenile Justice Department is required to support the Independent Ombudsman with purchasing activities. HUB data is not maintained separately, but as a combined field. Please refer to TJJD, Self-Evaluation, Section XI., D for details on HUB expenditures.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 19: Purchases from HUBs**

Fiscal Year 2018

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	(number)	(number)	(number)	(number)	11.2%
Building Construction	(number)	(number)	(number)	(number)	21.1%
Special Trade	(number)	(number)	(number)	(number)	32.9%
Professional Services	(number)	(number)	(number)	(number)	23.7%
Other Services	(number)	(number)	(number)	(number)	26.0%
Commodities	(number)	(number)	(number)	(number)	21.1%
TOTAL	(number)	(number)	(number)		

Table 23 Exhibit 19 HUB Purchases for FY 2018

- * If your goals are agency specific-goals and not statewide goals, please provide the goal percentages and describe the method used to determine those goals. (TAC Title 34, Part 1, Chapter 20, Rule 20.284)

Fiscal Year 2019

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	(number)	(number)	(number)	(number)	11.2%
Building Construction	(number)	(number)	(number)	(number)	21.1%
Special Trade	(number)	(number)	(number)	(number)	32.9%
Professional Services	(number)	(number)	(number)	(number)	23.7%
Other Services	(number)	(number)	(number)	(number)	26.0%
Commodities	(number)	(number)	(number)	(number)	21.1%
TOTAL	(number)	(number)	(number)		

Table 24 Exhibit 19 HUB Purchases for FY 2019

Fiscal Year 2020

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	(number)	(number)	(number)	(number)	11.2%
Building Construction	(number)	(number)	(number)	(number)	21.1%
Special Trade	(number)	(number)	(number)	(number)	32.9%
Professional Services	(number)	(number)	(number)	(number)	23.7%
Other Services	(number)	(number)	(number)	(number)	26.0%
Commodities	(number)	(number)	(number)	(number)	21.1%
TOTAL	(number)	(number)	(number)		

Table 25 Exhibit 19 HUB Purchases for FY 2020

E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Section 2161.003; TAC Title 34, Part 1, Rule 20.286c)

Please refer to TJJ, Self-Evaluation, Section XI., Item E for details on HUB policy.

F. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Section 2161.252; TAC Title 34, Part 1, Rule 20.285)

Not Applicable

G. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

- 1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Section 2161.062; TAC Title 34, Part 1, Rule 20.296)**

Not Applicable

2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Section 2161.066; TAC Title 34, Part 1, Rule 20.297)

Not Applicable

3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Section 2161.065; TAC Title 34, Part 1, Rule 20.298)

Not Applicable

H. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics. See Exhibit 20 Example. Sunset is required by law to review and report this information to the Legislature. Please use only the categories provided below. For example, some agencies use the classification “paraprofessionals,” which is not tracked by the state civilian workforce. Please reclassify all employees within the appropriate categories below.

**Office of Independent Ombudsman for the Texas Juvenile Justice Department
Exhibit 20: Equal Employment Opportunity Statistics**

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	1	0.0%	8.1%	0.0%	22.4%	0.0%	38.8%
2019	1	0.0%	8.1%	0.0%	22.4%	0.0%	38.8%
2020	1	0.0%	8.1%	0.0%	22.4%	0.0%	38.8%

Table 26 Exhibit 20 EEO Statistics for Officials/Administration

2. Professional

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	11	18.2%	10.9%	0.0%	20.3%	36.4%	54.5%
2019	11	18.2%	10.9%	0.0%	20.3%	36.4%	54.5%
2020	11	18.2%	10.9%	0.0%	20.3%	30.0%	54.5%

Table 27 Exhibit 20 EEO Statistics for Professionals

3. Technical

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	0	0.0%	14.4%	0.0%	29.2%	0.0%	55.2%
2019	0	0.0%	14.4%	0.0%	29.2%	0.0%	55.2%
2020	0	0.0%	14.4%	0.0%	29.2%	0.0%	55.2%

Table 28 Exhibit 20 EEO Statistics for Technical

4. Administrative Support

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	2	50.0%	14.3%	0.0%	36.4%	100.0%	71.6%
2019	2	50.0%	14.3%	0.0%	36.4%	100.0%	71.6%
2020	2	50.0%	14.3%	0.0%	36.4%	100.0%	71.6%

Table 29 Exhibit 20 EEO Statistics for Administrative Support

5. Service / Maintenance

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%
2019	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%
2020	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%

Table 30 Exhibit 20 EEO Statistics for Service and Maintenance

6. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2018	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%
2019	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%
2020	0	0.0%	10.2%	0.0%	51.5%	0.0%	12.0%

Table 31 Exhibit 20 EEO Statistics for Skilled Craft

I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Yes, PRS01.01 – Equal Employment Opportunity. The Texas Juvenile Justice Department (TJJD) is an equal opportunity employer and strives to provide a work environment free from discrimination based on race, color, religion, sex/gender (including sexual harassment), national origin, age, disability, or genetic information. TJJD

managers and supervisors are responsible for basing all employment-related decisions on job-related, non-discriminatory factors, and for complying with all laws that apply to the employment relationship. TJJJ employees are responsible for refraining from discrimination or harassment on the basis of race, color, religion, sex, age, or disability, and for promptly reporting any violations of this policy.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

ATTACHMENTS ---

Create a separate file and label each attachment (e.g., Attachment 2_Annual Reports) and include a list of items submitted. Attachments may be provided in electronic form or through links to agency webpages.

Attachments Relating to Key Functions, Powers, and Duties

1. If the agency publishes a version of its enabling statute and/or rules, please include an electronic copy.

Attachments Relating to Policymaking Structure

2. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members.
3. Employee manuals and copies of any policies related to staff's duties and responsibilities.

Attachments Relating to Funding

4. Agency's Legislative Appropriations Request for FY 2022–23.
5. Annual financial reports from FY 2018–20.
6. Operating budgets from FY 2018–20.

Attachments Relating to Organization

7. If applicable, a list and brief explanation of all active memorandums of understanding and information sharing agreements the agency has entered into. Indicate whether these are required by statute, rule, or something else.

Attachments Relating to Agency Performance Evaluation

8. Quarterly performance reports completed by the agency in FY 2019–20.
9. Agency's current internal audit plan.
10. List of internal audit reports from FY 2016–20 completed by or in progress at the agency.
11. List of State Auditor reports from FY 2016–20 that relate to the agency or any of its functions.