



Texas Abstinence Education Contractor Compliance Report

As Required by

**2018-19 General Appropriations Act,
Senate Bill 1, 85th Legislature,
Regular Session, 2017 (Article II,
Health and Human Services
Commission, Rider 49)**

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Table of Contents

Executive Summary	1
1. Introduction	2
2. Background	3
Funding.....	3
Contracting and Requirements	4
3. Awarded Contracts	5
Federal Fiscal Year 2017.....	5
Federal Fiscal Year 2018.....	6
4. Contractor Compliance	7
Compliance Findings	8
5. Conclusion	10
List of Acronyms	11

Executive Summary

The *Texas Abstinence Education Contractor Compliance Report* for fiscal year 2017 is submitted per 2018-19 General Appropriations Act, Senate Bill 1, 85th Legislature, Regular Session, 2017 (Article II, Health and Human Services Commission [HHSC], Rider 49).

The Abstinence Education Program (AEP) is administered by HHSC and funded through the Administration on Children and Families. Grant funds are awarded through contracts to eligible community organizations, including faith-based organizations, youth-service programs, school districts, and health departments, with the purpose of providing abstinence education services in communities with high teen pregnancy rates.

Contracted organizations must meet requirements established at the state and federal levels and participate in quality assurance reviews and/or monitoring visits to ensure compliance.

In federal fiscal year 2017, three contractors received compliance visits. HHSC deemed two contractors out of compliance with required components, issued findings, and required corrective action plans. Implementation of these corrected actions will be completed in a timely manner and follow-up visits will be conducted to ensure future compliance.

1. Introduction

Rider 49 requires HHSC to submit a report on AEP contractor compliance annually, by December 1, to the Legislative Budget Board and Governor's Office. This report details contractor compliance for federal fiscal year 2017.

The report must include verification that AEP funds are used to implement abstinence sexual education programs that comply with each of the A-H components of the abstinence education program under Section 510(b)(2), Social Security Act (42 United States Code [U.S.C.] Section 710(b)).

2. Background

AEP provides Administration on Children and Family grant funds to contracted community organizations including faith-based organizations, youth-service programs, school districts, and health departments to provide abstinence education services in communities with high teen pregnancy rates.

Rider 49 defines abstinence education as materials that:

- Present abstinence as the preferred choice of behavior for unmarried persons; and
- Emphasize that abstinence from sexual activity is the only method that is 100 percent effective at preventing pregnancy, sexually transmitted infections or diseases, and infection with the human immunodeficiency virus¹ or acquired immunodeficiency syndrome.²

Funding

The Title V State Abstinence Education Grant Program is administered through the Administration for Children and Families and authorized by Section 510 of the Social Security Act. Title V provides funding to states and territories for abstinence education. The goals of this grant program are to support the decision to abstain from sexual activity, reduce teen pregnancy rates, and reduce the spread of sexually transmitted diseases. The program focuses on youth ages 10 to 19.

Funding is distributed to states based on the proportion of low-income children in the population. States determine the curriculum and program requirements. Per the rider, AEP is required to comply with components A-H of the abstinence education program under Section 510(b)(2) of the Social Security Act (42 U.S.C. Section 710(b)).

¹ Commonly referred to as HIV.

² Commonly referred to as AIDS.

In federal fiscal year 2017, HHSC received \$7,854,345 in grant funding. HHSC received an additional \$615,843 in General Revenue, resulting in a state fiscal year 2017 budget of \$8,470,188.

Contracting Requirements

AEP delivers abstinence education services by contracting with community organizations, such as faith-based organizations, youth-service programs, school districts, and health departments.

In addition to complying with Section 510 requirements, contracted organizations must agree to:

- teach an approved abstinence education curriculum;
- provide students with the opportunity to participate in a 20-hour service learning project;
- attend required HHSC trainings;
- collaborate and partner with community organizations;
- coordinate with community partners to provide age appropriate referrals;
- maintain and submit required forms and reports to AEP; and
- participate in quality assurance reviews and/or site visits by AEP staff.

In addition, HHSC may enter into a memorandum of understanding (MOU) with school districts to implement a state-approved AEP curriculum. Through these MOUs, HHSC agrees to provide one year of curriculum materials and staff training. After the MOUs expire, school districts are responsible for funding additional training, curriculum materials, or other curriculum needs.

3. Awarded Contracts

Federal Fiscal Year 2017

In August 2016, HHSC released an open enrollment procurement³ for federal fiscal year 2017 to fund abstinence education programs from October 2016 to September 2017. Funds were awarded to the following contractors:

- Ambassadors for Christ Youth Ministries
- Boys and Girls Club of Edinburg, Rio Grande Valley
- Boys and Girls Club of McAllen
- Children and Parents Social Services
- Communities in Schools of Coastal Bend
- Ethos
- Excellent Teen Choice
- FaithWorks!, Inc.
- Healing the Family, Inc.
- Girls Living Life on Purpose
- Henderson County Help Center
- Heritage Youth and Family Services of Texas
- JOVEN
- Real L.O.V.E.
- Seasons of Change, Inc.
- Skillful Living Center, Inc.
- Southwest Community Economic Development Center (CEDC)
- Succeeding at Work
- The Source for Women
- Tomorrow's Children

³ In an open enrollment procurement, HHSC enlists or enrolls contractors under a method that is open to all entities who meet qualifications established by HHSC. The open enrollment process is conducted in an open and fair manner that reasonably provides interested, qualified entities equal opportunity to obtain a contract with HHSC.

Federal Fiscal Year 2018

For federal fiscal year 2018, the following contractors were awarded a one-year renewal:

- Boys and Girls Club of Edinburg, Rio Grande Valley
- Boys and Girls Club of McAllen
- Children and Parents Social Services
- Communities in Schools of Coastal Bend
- Excellent Teen Choice
- FaithWorks!, Inc.
- Healing the Family, Inc.
- Henderson County Help Center
- Heritage Youth and Family Services of Texas
- JOVEN
- Real L.O.V.E.
- Skillful Living Center, Inc.
- Succeeding at Work
- The Source for Women
- Tomorrow's Children

4. Contractor Compliance

To ensure contractor compliance with AEP standards, contractors are required to maintain quality assurance (QA) monitoring tools that AEP staff review during monitoring visits.

Each tool assesses compliance with Section 510 requirements, as well as the quality of student instruction. Contracted organizations evaluate their instructors and submit findings to AEP. To ensure compliance with state and federal requirements, periodic QA reviews, as well as at least one site visit or desk review, are completed over the course of the grant cycle.

Each contractor must complete the following QA monitoring documents:

- **Implementation Plan Template** - This must be submitted for every program implementation site prior to implementation. Contractors may submit additional plans for sites added after the original submission.
- **Service Learning Implementation Plan Template** - This must be submitted at the end of the contract term. The template provides a detailed description of each service learning project the students conducted.
- **Curriculum Logs** - These must be completed to ensure contractors meet standards set by the curriculum developer to maximize impact on student behavior.
- **Participant Completion and Participation Logs** - These must be completed and shared with AEP staff during monitoring visits and upon request. The logs track youth and parent participation in the program through sign-in sheets.
- **Program Observation Form** - This must be completed by program coordinators while observing classroom instruction to ensure instructors are addressing the Section 510 requirements, maintaining curriculum standards, and using appropriate classroom management.

During QA reviews and monitoring visits, AEP staff review the completed monitoring documents and use the following tools to ensure contractor compliance:

- **Presentation Event Observation Tool** - This is used to monitor contractor compliance with Section 510 requirements and quality of presentation for program implementation.
- **Administration Review Tool** - This is used to monitor overall program and contractual compliance. The tool helps AEP staff ensure all necessary documentation is maintained and assesses whether contractors are properly trained and correctly implementing their approved curriculum.
- **Program Observation Form** - This is used to observe classroom instruction to ensure instructors address the required federal components, maintain curriculum standards, and use appropriate classroom management.

Compliance Findings

In federal fiscal year 2017, AEP conducted programmatic site visits at Southwest CEDC, JOVEN, and FaithWorks!, Inc. At each site visit, AEP conducted an administrative review, curricula observation, and service learning observation. During these visits, AEP staff reviewed QA monitoring and other related documents.

Southwest CEDC was selected for a programmatic site visit because it was affiliated with another AEP contractor, Seasons of Change, which was under investigation by the federal Inspector General. Due to the pending federal investigation, AEP and HHSC fiscal monitoring would conduct routine programmatic and financial reviews. Southwest CEDC was found in compliance with all federally required programmatic components. HHSC fiscal monitoring conducted the financial review after AEP conducted the programmatic review. The financial review resulted in substantial accounting issues which warranted termination of their AEP contract. The contract was terminated on August 29, 2017.

JOVEN and Faithworks! were selected as part of the routine contract monitoring process. Both were found to be out of compliance with state and federal regulations. The AEP for both JOVEN and Faithworks! had errors in administrative processes, departures from the chosen curriculum, and programmatic inconsistencies with the required federal components. Both contractors received findings and were required to submit corrective action plans. JOVEN and Faithworks! were required to implement corrective action plans to correct deficiencies and satisfy the contractor compliance requirements. The contractors had 30 days to correct any identified administrative deficiencies. Both contractors

submitted documentation showing the administrative deficiencies were corrected. For curriculum or fidelity deficiencies, HHSC allowed for additional time to address deficiencies and will schedule follow-up site visits for fiscal year 2018 to evaluate whether issues have been resolved.

5. Conclusion

HHSC will continue to engage with stakeholders, evaluate contractor performance, and seek to ensure continual improvements for program delivery. In addition, AEP staff will continue to perform QA reviews and site visits to ensure contractor compliance with A-H components of Section 510 and other program requirements.

List of Acronyms

Acronym	Full Name
AEP	Texas Abstinence Education Program
HHSC	Health and Human Services Commission
MOU	Memorandum of Understanding
QA	Quality Assurance
Southwest CEDC	Southwest Community Economic Development Center
U.S.C.	United States Code