The Texas Abstinence Education Program Contractor Compliance Report

As Required By
House Bill 1, 84th Legislature, Regular Session, 2015 (Article II, Department of State Health Services, Rider 53)

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Table of Contents

Executive Summary .......................................................................................................................1
Background ....................................................................................................................................1
Abstinence Education Program Contractors ..............................................................................2
Contractor Compliance with A-H Components..........................................................................4
Conclusion ......................................................................................................................................5
Executive Summary

The 2016-17 General Appropriations Act, House Bill 1, 84th Legislature, Regular Session, 2015 (Article II, Department of State Health Services, Rider 53), directed the Department of State Health Services (DSHS) to submit a report to the Legislative Budget Board and the Governor's Office containing abstinence education program contractor compliance issues related to components A-H of Section 510(b)(2) of the Social Security Act (42 U.S.C. Section 710(b)).

In fiscal year 2016, two contractors received compliance visits. Upon completing the visits, both contractors were found to be in compliance with all A-H components.

Background

The Family and Youth Services Bureau (FYSB), within the U.S. Department of Health and Human Services, administers the Adolescent Pregnancy Prevention Program, which supports state, Tribal, and community efforts to reduce teen pregnancy rates and the spread of sexually transmitted diseases. Federal funds for state abstinence education programs are authorized and appropriated by the Patient Protection and Affordable Care Act of 2010 (Affordable Care Act), which amends Section 510 of the Social Security Act. The Title V State Abstinence Education Grant Program provides states with federal funding to administer abstinence education, mentoring, counseling and adult supervision to youth ages 10-19. Funding is distributed based on the proportion of low-income children in each state. Grantees determine the curriculum and requirements of the project for the state.

The 2016-17 General Appropriations Act, House Bill 1, 84th Legislature, Regular Session, 2015 (Article II, Department of State Health Services, Rider 53), appropriated $1,231,686 in General Revenue for the purpose of implementing abstinence sexual education programs to reduce the need for future family planning services for unwed minors. Abstinence education means materials and instruction which:

- Present abstinence from sexual activity as the preferred choice of behavior for unmarried persons.
- Emphasize abstinence from sexual activity, used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, and infection with human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS).

Pursuant to the rider, these funds must also be used to implement sexual education programs that strictly comply with each of the A-H components of the abstinence education program under Section 510(b)(2), Social Security Act (42 U.S.C. Section 710(b)), which defines abstinence education as curriculum that:

- Has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity.
- Teaches abstinence from sexual activity outside marriage as the expected standard for all school age children.
• Teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems.
• Teaches that a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity.
• Teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects.
• Teaches that bearing children out of wedlock is likely to have harmful consequences for the child, the child’s parents, and society.
• Teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances.
• Teaches the importance of attaining self-sufficiency before engaging in sexual activity.

**Abstinence Education Program Contractors**

In Texas, the Texas Abstinence Education Program (TAEP) funds community organizations to provide education services to communities identified as having a high teen pregnancy rate. Pursuant to Senate Bill 200, 84th Legislature, Regular Session, 2015, TAEP was transferred to the Health and Human Services Commission (HHSC) on September 1, 2016.

In order to receive funding for abstinence education programs, community organizations (faith-based organizations, youth-service programs, school districts, health departments, etc.) must enter into a contract with HHSC. Each direct service contractor (DSC) agrees 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.
• Partner with community organizations to participate in community collaboration.
• Provide age appropriate referral services in coordination with community partnerships.
• Maintain and submit required forms and reports to TAEP staff.
• Participate in quality assurance reviews and/or site visits by TAEP staff.

School districts wishing to participate in the TAEP must sign a memorandum of understanding (MOU) with HHSC to implement state approved abstinence education curriculum within their schools. Program staff provide the district with one year of curriculum materials and staff training. After the term of the MOU expires, school districts are responsible for funding additional training or curriculum needs.

In August 2015, DSHS released a request for proposal (RFP) to fund abstinence education programs from contract execution through September 2016. Funds were awarded to the following contractors:

• Boys & Girls Club of McAllen
• Girls Living Life On Purpose
• Heritage Youth And Family Services of Texas
• Seasons of Change, Inc.
In response to a supplemental grant award received, DSHS released an Open Enrollment\(^1\) on February 2016 to fund abstinence education programs from contract execution through September 2016. Funds were awarded to the following contractors:

- Boys & Girls Club of Edinburg, Rio Grande Valley
- Ethos Foundation, Inc.
- FaithWorks!, Inc.
- Future Leaders Outreach Network
- Healing the Family, Inc.
- Henderson County Help Center
- JOVEN, Inc.
- Southwest Community Economic Development Corporation

In August 2016, HHSC released an Open Enrollment for the federal fiscal year 2017 to fund abstinence education programs from October 2016 through 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
- Excellent Teen Choice
- FaithWorks!, Inc.
- Girls Living Life on Purpose
- Healing the Family, Inc.
- 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
- Succeeding at Work
- The Source for Women
- Tomorrows Children
- Women in Position Everywhere

\(^1\) 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.
Contractor Compliance with A-H Components

To ensure contractor compliance with TAEP standards, each DSC is required to maintain quality assurance (QA) monitoring tools which are reviewed by TAEP staff during site visits. Each tool used by TAEP staff and DSC program coordinators captures all A-H components, and the quality of student instruction. Every DSC is required to review their own facilitators and submit their findings to TAEP staff. To ensure compliance to state and federal requirements, DSCs may be subject to periodic QA reviews and are subject to at least one site visit or desk review over the course of the grant cycle (one year plus four possible renewals).

Each DSC is provided and expected to complete the following QA monitoring documents:

- **Implementation Plan Template** - Every contractor is required to submit this form for every implementation site prior to implementation. Contractors are allowed to submit additional plans for sites added after the original submission.
- **Service Learning Implementation Plan Template** - Every contractor is required to submit this plan at the end of their contract term. This form is a detailed description of what Service Learning Project the students conducted.
- **Curriculum Logs** - Ensures that contracted agencies are presenting the curriculum in a way that meets the standards set by the curriculum developer to maximize impact on student behaviors and actions. This involves dedicating the recommended amount of time to each section of the curriculum within the standard sequence of classes and activities.
- **Participant Completion and Participation Logs** - This tool tracks both youth and parent participation in the program via sign-in sheets. DSCs are required to show TAEP staff all completed logs during a site visit and as requested by TAEP staff.
- **Program Observation Form** - This tool is used by program coordinators to observe instructors in the class setting to ensure facilitators are maintaining curriculum standards, classroom management and addressing A-H components.

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

- **Presentation Event Observation Tool** - This form is used to monitor contractor compliance with A-H requirements, medical accuracy in educational materials, and adherence to requirements of Section III of the Title V State Abstinence Education Grant Program rules, which addresses unallowable program activities.
- **Administration Review Tool** - This tool is used to monitor overall program and contractual compliance. TAEP staff use this form to ensure all necessary documentation is kept and maintained by the DSC. The tool also monitors whether contractors are properly trained and are correctly implementing their approved curriculum.
- **Program Observation Form** - This tool is used to observe instructors in the class setting to ensure facilitators are not only addressing A-H components, but are maintaining curriculum standards and classroom management as well.
In fiscal year 2016, both Succeeding at Work and Skillful Living received site visits from TAEP staff. An administrative review, a curricula observation, and a service learning observation were conducted at each site. During these visits, TAEP staff reviewed all QA monitoring documents. Upon completing the review, TAEP staff found both contractors to be in compliance with all A-H components and other state and federal regulations.

**Conclusion**

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