Statement of the Texas Board of Professional Geoscientists

The Texas Board of Professional Geoscientists (TBPG) was created in 2001 by Senate Bill 405 (77th Legislature) and codified into Texas Civil Statutes, Article 8861. Sponsors of SB 405 in the Senate and House included Senator J. E. "Buster" Brown and Senator Jeff Wentworth and Representative Tony Goolsby.

The mission of the Texas Board of Professional Geoscientists is to protect public health, safety, welfare and the state's natural resources by ensuring that only qualified persons carry out the public practice of geoscience.

The TBPG is the only state agency that regulates the public practice of geoscience. According to the enabling statute, geoscience is "the science of the earth and its origin and history, the investigation of the earth's environment and its constituent soils, rocks, minerals, fossil fuels, solids, and fluids, and the study of the natural and introduced agents, forces, and processes that cause changes in and on the earth."

A professional geoscientist is someone who is licensed in the State of Texas to practice "before the public" in one of three disciplines:

- Geology
- Geophysics
- Soil Science

Geology is the science of the origin, composition, structure, and history of the earth and its constituent soils, rocks, minerals, fossil fuels, solids, fluids and gasses. Engineering geology, hydrogeology and environmental geology are fields in which professional geologists apply the practice of geology to public health, safety and welfare concerns, such as active faults, earthquakes, water supply, erosion control, sedimentation, pollution of water, soil and rock, and many other issues. A professional geologist is also anyone submitting geological information to: a state agency of Texas or be used in an engineered work or process.

Geophysics is the science which involves the study of the physical earth by means of measuring its natural and induced fields of force, including electricity, gravity and magnetism.

Soil Science is the science of soils, their classification, origin and history, the investigation of physical, chemical, morphological, and biological characteristics of the soil including their ability to produce vegetation and the fate and movement of physical, chemical and biological contaminants.

The 2007-2009 Biennium

The agency's many proud highlights of the 2007-2009 Biennium are:

- Appointment of a new Chairman, Vice-Chairman and Secretary/Treasurer, as well as four new Board members;
- Implementation of Agency's first reciprocity agreement with the Mississippi State Board of Registered Professional Geologists and agreements with other states soon to follow:
- Implementation of Continuing Education Program (CEP);
- Implementation of Firm Registration Program;
- Established ties to various state agencies such as the Texas Board of Professional Engineers (TBPE), the Texas Commission on Environmental Quality (TCEQ), Texas Department of Transportation (TxDOT), and the Railroad Commission (RRC);
- Maintained fiscal responsibility;
- Administered examinations necessary for licensure;
- Participation in more than twenty public outreach programs;
- Garnering a high percentage of online license renewals using Texas Online:
- Maintaining a highly-qualified and diverse workforce.

The Texas Board of Professional Geoscientists has set high performance standards for the agency, and expects to continue upholding those standards as the agency fulfills its mandate to protect the health, safety and welfare of the people of the State of Texas.

Priority Programs

The TBPG devotes considerable staff time and financial resources to implementing and maintaining several priority programs. During the next five years of the 2009-2013 strategic planning cycles, the following priorities are of particular importance:

- Ensuring by way of enforcement that the practice of geoscience is done only by qualified licensees;
- Responding to complaints from the public and performing enforcement actions needed to protect public health, safety and welfare;

- Continue developments of reciprocity agreements with other states;
- Continuing to develop high standards of practice for geoscientists through our Continuing Education Program (CEP);
- Maintaining a technologically advanced licensing system;
- Implementation and creation of appropriate and common sense agency rules;
- Continuing the registration of firms who engage in the public practice of geoscience;
- Maintenance and administration of a statewide testing program for the geology, geophysics, and soil science examinations necessary for licensure;
- Continuing to develop standards of practice for geoscientists;
- Maximizing public awareness of geoscientist licensure through continued public outreach initiatives;
- Continuing outstanding agency administrative policies and procedures;
- Maintaining a highly-qualified and diverse workforce; and
- Encouraging students to become professional geoscientists.

STATEWIDE VISION, MISSION AND PHILOSOPHY

VISION OF TEXAS

"Working together, I know we can accomplish our mission and address the priorities of the people of Texas. My administration is dedicated to creating greater opportunity and prosperity for our citizens, and to accomplish that mission, I am focused on the following critical priorities:

- Assuring open access to an educational system that not only guarantees the basic core knowledge necessary for productive citizens, but also emphasizes excellence and accountability in all academic and intellectual undertakings;
- Creating and retaining job opportunities and building a stronger economy that will lead to more prosperity for our people, and a stable source of funding for core priorities;
- Protecting and preserving the health, safety and well-being of our citizens by ensuring healthcare is accessible and affordable, and our neighborhoods and communities are safe from those who intend us harm; and
- Providing disciplined, principled government that invests public funds wisely and efficiently."

-- Governor Rick Perry March 2008

THE MISSION OF TEXAS STATE GOVERNMENT

Texas State Government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities, and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.

AIM HIGH....WE ARE NOT HERE TO ACHIEVE INCONSEQUENTIAL THINGS!

THE PHILOSOPHY OF TEXAS STATE GOVERNMENT

The task before all state public servants is to govern in a manner worthy of this great state. We are a great enterprise, and as an enterprise we will promote the following core principles:

- First and foremost, Texas matters most. This is the overarching, guiding principle by which we will make decisions. Our state, and its future, is more important than party, politics, or individual recognition.
- Government should be limited in size and mission, but it must be highly effective in performing the tasks it undertakes.
- Decisions affecting individual Texans, in most instances, are best made by those individuals, their families, and the local government closest to their communities.
- Competition is the greatest incentive for achievement and excellence. It inspires ingenuity and requires individuals to set their sights high. Just as competition inspires excellence, a sense of personal responsibility drives individual citizens to do more for their future and the future of those they love.
- Public administration must be open and honest, pursuing the high road rather than the expedient course. We must be accountable to taxpayers for our actions.
- State government has a responsibility to safeguard taxpayer dollars by eliminating waste and abuse, and providing efficient and honest government.

Finally, state government should be humble, recognizing that all its power and authority is granted to it by the people of Texas, and those who make decisions wielding the power of the state should exercise their authority cautiously and fairly.

STATEWIDE GOALS AND BENCHMARKS

The TBPG has identified and defined its relationships to the relevant statewide priority goals and benchmarks.

Natural Resources and Agriculture

Priority Goal

To conserve and protect our state's natural resources (air, water, land, wildlife, and mineral resources) by:

- Providing leadership and policy guidance for state, federal, and local initiatives; and
- Encouraging responsible, sustainable economic development.

TBPG's Relationship to the Goal: TBPG will meet this Priority Goal by ensuring that only licensed geoscientists, who meet established standards, practice geoscience in a manner that will conserve and protect the state's natural resources.

Regulatory

Priority Goal

To ensure Texans are effective and efficiently served by high-quality professionals and businesses by:

- Implementing clear standards;
- Ensuring compliance;
- Establishing market-based solutions; and
- Reducing the regulatory burden on people and business.

Benchmarks

- Percent of state professional licensee population with no documented violations
- Percent of new professional licensees as compared to the existing population
- Percent of documented complaints to professional licensing agencies resolved within six months
- Percent of individuals given a test for professional licensure who received a passing score
- Percent of renewed licenses issued via Internet

TBPG's Relationship to the Goal and Benchmarks: TBPG impacts this Goal and Benchmarks through the following performance measures.

- Record and statistically analyze percent of licensed population with/without documented violations
- Track status of complaints from the date of complaint to resolution
- Document and statistically analyze pass rate for geology, geophysics and soil science fundamentals and practice exams
- Record number of new licenses issued annually
- Percent of licenses renewed via internet
- Document the method of license renewal for all licensed geoscientists

General Government

Priority Goal

To provide citizens with greater access to government services while reducing service delivery costs and protecting the fiscal resources for current and future taxpayers by supporting effective, efficient, and accountable state government operations.

Benchmarks

- Number of state services accessible by Internet
- Savings realized in state spending by making reports/documents/processes available on the Internet

TBPG's Relationship to the Goal and Benchmark: TBPG meets this Goal and Benchmarks through its commitment to use its website as its primary means of communication, license renewals, conducting user surveys, receiving complaints and enforcing rules and statutes. The agency has developed a volunteer-based e-mail list that facilitates communication with licensees.

AGENCY MISSION AND PHILOSOPHY

TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS MISSION

The mission of the Texas Board of Professional Geoscientists is to protect public health, safety, welfare, and the state's natural resources by ensuring that only qualified persons carry out the public practice of geoscience.

Texas Board of Professional Geoscientists Philosophy

To accomplish our mission, we will:

- Ensure consistent, just, and timely enforcement when geoscience rules and statutes are violated;
- Use the Board's statutory authority to clearly define the parameters of the geoscience profession;
- Act in accordance with the highest of ethical standards, accountability and efficiency in the licensing and regulatory processes;
- Base decisions on the law, sound geoscientific principles, appropriate standards of practice, and fiscal responsibility;
- Ensure that regulations are necessary, effective, and current;
- Continue to promote strong geoscientific practice through the Continuing Education process;
- Monitor compliance of Board regulations clearly and consistently;
- Hire, develop, and retain a highly-qualified, diverse workforce.

EXTERNAL/INTERNAL ASSESSMENT

OVERVIEW OF AGENCY SCOPE AND FUNCTIONS

The Texas Board of Professional Geoscientists is a small state agency responsible for the implementation of the Texas Geoscience Practice Act. The agency was established in 2001 by the Seventy-seventh Legislature, Regular Session, to regulate the public practice of geoscience. Eight members of the Board were appointed by the Governor on November 15, 2001. The ninth member was appointed October 10, 2002. The Board which governs the agency is currently composed of six professional geoscientists, and three public members appointed by the Governor and confirmed by the Senate for six-year staggered terms. During the 80th Legislature the Governor appointed, and the Senate approved, four new professional members, Ronald Kitchens of Harper, Gregory Ulmer, Esq. of Houston, Barbara Roeling, P.G. of Austin and Dr. C. Thomas Hallmark, P.G. of College Station to replace four outgoing members, Murray Milford, P.G., Shiela Hall, P.G., Kimberly Phillips, and Danny R. Perkins, Ph.D.

Three disciplines of geoscience are recognized by the Board; geology, geophysics and soil science. In Texas, the public practice of geoscience includes, but is not limited to, work that supports design and construction of homes, buildings, roads, bridges, dams and industrial power plants. Geoscientists assess erosion of creek and river banks, sedimentation in lakes and reservoirs, ground water supply and availability, unstable geological features, active faults, environmental hazards, and mining reclamation. Agriculture and exploration for and development of energy and mineral resources are exempted under the Texas Geoscience Practice Act.

The TBPG is a proactive agency striving to educate both its regulated community and the general public about geoscientific issues in Texas. The citizens of Texas rely extensively on geoscientists and geoscientific work for the development & protection of the state's natural resources including but not limited to petroleum based products (such as fuels, plastics and pharmaceuticals), energy, minerals, and water supplies.

Organizational Aspects

The agency has authorized six full-time positions, one of which is exempt. Currently the agency's Executive Director is on military leave. In the meantime, to fill the gap during his absence, positions are currently filled with five full-time employees and one part-time employee. The ethnic distribution of the staff is 17% Black, 50% Hispanic, and 33% White. Women make up 67% of the agency's work force.

The agency is divided into three main functions: administration, licensing, and enforcement. Each staff member's function is to implement particular portions of the Act and Board rules for preventing variances from the agency's statutory role. The staff is composed of Manager III, Accountant VI, Program Supervisor I, Administrative Assistant II, Staff Services Officer I, and Investigator IV. No employee is separated from the senior management. The organizational

structure is designed to delegate tasks among the entire staff without a firm definition of roles and policies if the mission requires immediate results. This is done to minimize response time to the public and to provide accountability and consistency in the application of public policy.

The average state tenure of a TBPG employee is just under eight years. During FY 2007 the agency had no turnover. Thus, the average employee turnover rate for the agency for FY 2007 is 0%. The agency has a very competent and dedicated staff which it hopes to keep in place.

The agency is located in the William P. Hobby, Jr. Building at 333 Guadalupe, Austin, Texas. All geographic regions of the state are served from this location. Geoscientists and geoscientist activities are located throughout the State. Due to this fact, the time and expense associated with investigation of complaints and other services to licensees and the public being served may be significant. The agency will use outreach programs to educate licensees and the public as the programs become available. A newsletter is published approximately twice a year and interim changes to policies and rules are posted on the Board's website.

Fiscal Aspects

The Board's annual budget is less than \$450,000, all from General Revenue. The entire agency appropriation is funded through fees established by the Board for licensing, examinations, license renewals, firm registrations, and miscellaneous fees. The annual renewal fee for license holders is currently \$168. The number of renewals that can be projected for the coming fiscal year is estimated at 5,054 licensees. Based on an approximate renewal population multiplied by \$168 renewal the TBPG estimates that it will generate approximately \$1.6 million per biennium for the General Revenue Fund.

Approval has been granted which has allowed for Texas' input to the National Association of State Boards of Geology (ASBOG®) Examination preparation cycles. The impact is that Texas now contributes to the production of the Geology examination. Additionally, the Soil Scientists examination is provided by the Council of Soil Science Examiners (CSSE) and the state participates in its examination preparation cycles.

Service Population Demographics

Historical Characteristics

Over 6,400 professional geoscientists were licensed during 2007. Based on historical data, new applications are projected to be on the order of 75 per year.

Current Geoscientists Characteristics

Geoscientists perform a broad array of services; TBPG's service population encompasses almost every demographic category. Geoscientists provide geological investigations for construction of such projects as buildings, highways, dams, lateral erosion that threatens housing and businesses along urban streams, coastal erosion, active faults along the Gulf Coastal Plain and landslides in urban areas. They also lend their expertise in soil science management to increase agricultural output and efficiency and perform wetland delineations. To protect our precious natural resources, geoscientists perform the mapping and characterization of groundwater aquifers, and computer simulation/modeling of groundwater recharge, flow, discharge, pumpage, and environmental investigation and remediation to insure a safe and sufficient supply of drinking water.

Technological Developments

From the very beginning the agency has always considered technology to be a primary mover in making TBPG more efficient and competitive in this complex economy. The only avenue to efficient quality customer service is through technological processes that enhance licensee file and data handling. To service Texans efficiently, the TBPG has established a website designed to provide licensing and enforcement information, which includes license and exam applications and other relevant forms, and databases to expedite consumer needs.

Future Trends and Their Impact

As the population of Texas increases so too will the demand for Texas professional geoscientists and their services. There are now and will be in the future jobs and careers for geoscientists in the environmental and oil and gas industries. Consequently there will be an increased demand for qualified geoscientists to effectively assess, properly develop and adequately protect our natural resources. The population of Texas reached more than 23 million in 2007, according to the latest estimates from the Texas State Data Center. The 2000 Census indicates that 82.5 percent of Texas' population lives in metropolitan areas. Growth in the state's metro areas, however, is not evenly distributed. It is concentrated in the large metropolitan areas of Dallas, Houston, San Antonio, and Austin. Austin added 403,536 people during the 1990s, increasing its population by nearly 50 percent. Other areas with significant growth are metros located along the Mexico border, such as McAllen, Brownsville, and Laredo. One of the fastest growing regions in the state, the Lower Rio Grande Valley, houses two adjacent metros in the Valley; McAllen and Brownsville. Together they added more than 260 thousand people between 1990 and 2000 about the same as the increase for the entire San Antonio metro area during the same period. The Texas State Data Center at Texas A&M has projected that the Texas population is expected to reach 35 million by 2040. The increased population growth will require development,

conservation and protection of the state's natural resources while accommodating the demand for new infrastructure.

Economic Variables

The general health of the economy is the primary leading variable on the number of licensees. Geoscientists are involved in many of the industries which drive the economy, including construction, ground and surface water supply and quality, environmental regulation, and agriculture. Geoscience has multiple disciplines, and each is affected by changes in specific economic sectors. For example, increases in construction starts affect the need for geoscience services. To ensure that building and other structures are safely built, the geological specifics of the site need to be assessed by a licensed geoscientist. Also, the continued importance of agricultural production in the state's economy assures the continued need for geoscientists' expertise in soil and water management and conservation.

Impact of Federal Statutes/Regulations and Other Legal Issues

There is no requirement for geological licensure at the federal level. However, evaluation by geologists is required by several Federal Statutes. Specifically, Title 40, Protection of the Environment, Solid Waste Disposal Programs, Title 30 Mineral Resources, Underground Mining Permit Applications, and Title 43 Public Lands, Subtitle A, Performing Assessment Work-Mining Claims. Most of the statutes have references to," a professional geologist", or "a qualified geologist". The federal government may now rely on qualified professional geoscientists to perform this work in Texas.

All state agencies that implement construction projects or regulatory programs that may result in an environmental impact to soils, surface water, groundwater, and topography/bathymetry are potentially affected by the TBPG to some degree. Affected agencies are the Texas Commission on Environmental Quality, Railroad Commission of Texas, Texas Department of Transportation, Texas Water Development Board, General Land Office, and the Water Well Drillers of the Texas Department of Licensing and Regulation, among others.

Impacts of Legislation

Upon passage of Senate Bill 405 by the 77th Legislature (2001), regulation of the public practice of geoscience was initiated, and geoscientists were recognized as licensed professionals. This legislation protects the public health, safety and welfare through its regulation of the public practice of geoscience.

Procedures to Implement HUB Purchasing

The TBPG has faithfully sought historically underutilized businesses (HUBs) to meet agency procurement needs. The agency has met or exceeded HUB purchasing goals set by the Legislature. The TBPG has solicited at least two-thirds of all bids from qualified HUB vendors for all purchases that exceeded \$2,000. The TBPG's use of historically underutilized businesses has been greatly assisted by the efforts of the Texas Facilities Commission. The database of HUB vendors provided to agencies by the Texas Facilities Commission greatly facilitates the patronage of HUBs.

The following are a list of the factors, which affect agency procurement decisions directly relating to historically underutilized business:

- Are there a sufficient number of qualified HUB vendors providing the goods or services required?
- Is the value and quality of the goods or services equal to that of other vendors?
- Is the purchase price of the goods or services substantially less than other vendors? If the purchase price is greater, is the total cost no more than 5% of the cost of the lowest bidder?
- Has the HUB vendor provided adequate customer service and/or assistance for previous purchases?
- Will the HUB vendor be able to provide the goods or services in a timely manner?

HUB Goals and TBPG Performance

Category	TBPG Per	Goals for	
	2006	2007	2009-2013
Commodity Services Contracts	78.9%	94.8%	75%
Other Services Contracts	84.8%	3.7%	33%
Professional Services Contracts	100%	100%	90%
Special Trade Construction Contracts	n/a	n/a	n/a

NOTES

Part III: Agency Goals

The goals, objectives, strategies, and measures below have received formal approval from the GOBP/LBB on June 11, 2008.

A. GOAL: LICENSING

Provide a licensing system to assure that professional geoscience in Texas is practiced only by qualified and competent Texas Licensees.

B. GOAL: ENFORCEMENT

We will provide the public with swift and effective enforcement and protect the health, safety and welfare of the people of Texas.

NOTES

Part IV: Objectives and Outcome Measures

The goals, objectives, strategies, and measures below have received formal approval from the GOBP/LBB on June 11, 2008.

OBJECTIVE A-01: APPLICATIONS

Ensure timely licensure/registration of practicing geoscientists/firms.

Outcome (Results/Impact):

Percent of Licensees with No Recent Violations Percent of Licensees Who Renew Online Percent of New Individual Licenses Issued Online Percent of Firms That Renew Online

OBJECTIVE B-01: DUE PROCESS FOR COMPLAINT ACTION

Ensure due process for all complaints regarding violations of the Texas Geoscience Practice Act within 60 days.

Outcome (Result/Impact):

Percent of Complaints Resulting in Disciplinary Action Recidivism Rate for Those Receiving Disciplinary Action Percent of Documented Complaints Resolved within Six Months

NOTES

Part V: Strategies and Output, Efficiency, and Explanatory Measures

The goals, objectives, strategies, and measures below have received formal approval from the GOBP/LBB on June 11, 2008.

A.1.1. STRATEGY: APPLICATION REVIEW

Evaluate Applications and Ensure Proper Examination.

Output (Volume):

Number of New Licenses Issued to Individuals Number of New Firms Registered Number of Licenses Renewed (Individuals)

Efficiencies:

Average Licensing Cost per Individual License Issued Percentage of New Individual Licenses Issued within 10 Days Percentage of Individual License Renewals Issued within 7 Days Average Time for Individual License Renewal (Days)

Explanatory:

Total Number of Individuals Licensed Average Time for Individual License Issuance

A.1.3. STRATEGY: INFORMATIONAL SERVICES

Maintain Current Registry and Provide Timely Information

Output (Volume):

Number of Information Requests Received Number of Information Packets Distributed to Individuals & Establishments

B.1.1. STRATEGY: ENFORCEMENT

Ensure Effective Enforcement of TX Geoscience Practice Act

Output (Volume):

Number of Complaints Resolved Number of Enforcement Cases and Inquiries Resolved Number of Compliance Orders Issued Number of Disciplinary Actions Taken

Efficiencies:

Average Time for Complaint Resolution (Days) Average Cost per Complaint Investigation

Explanatory: Number of Jurisdictional Complaints Received.

APPENDIX A

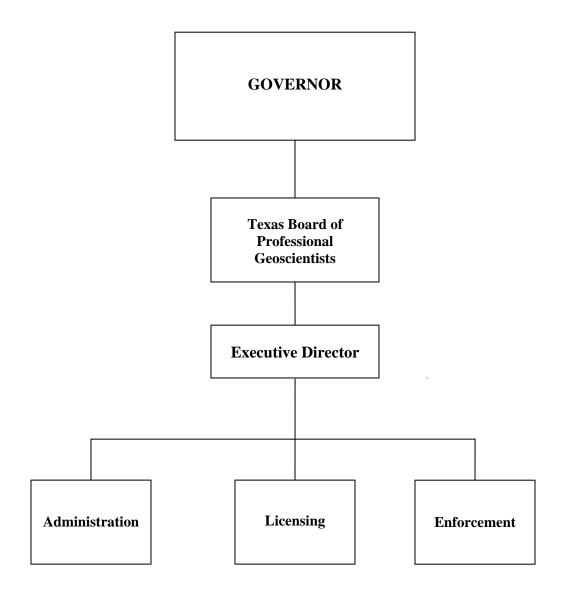
TBPG PLANNING PROCESS

- 1. The TBPG begins the planning process by identifying the agency mission and goals as set forth in the Geoscience Practice Act. Suggestions and possible action plans are submitted by agency staff, the public, and Board Members to the Executive Director who, in turn, forwards the information to the Board's Strategic Planning Committee. The staff assists the Strategic Planning Committee in developing a draft Strategic Plan for action by the Board.
- 2. Board Members draw upon their diverse expertise and years of practical experience to select the best course of action to follow, in order to accomplish the identified mission and goals. The staff is then given the responsibility to implement the Board approved plan.
- 3. The staff is also given the responsibility to report back to the Board via the Executive Director upon the effectiveness of the plan once it is put into motion. The Strategic Planning Committee recently successfully submitted to the Governor's Office and the Legislative Budget Board amended changes to the agency' budget structure elements.
- 4. The Board's mission and goals defined in the strategic plan are the basis on which more detailed plans and procedures are based. The TBPG seeks to use the best available information for its planning processes.
- 5. Information will be gathered from all external and internal sources including surveys of staff, licensees, and complainants. This will allow a direct response concerning critical agency services and informs the TBPG of the level of satisfaction with the agency.
- 6. Staff and Board priorities are assigned based on needs and resources of the agency. Individual staff members and Board committees are employed as appropriate to address specific planning projects and develop regulations, policies and procedures that better serve the geoscience community and the citizens of the State of Texas.

NOTES

APPENDIX B

TBPG ORGANIZATIONAL CHART



NOTES

APPENDIX C

TBPG PROJECTED OUTCOMES

FISCAL YEAR 2009-2013

OUTCOME	2009	2010	2011	2012	2013
Percent of Licensees with No Recent	98%	98%	98%	98%	98%
Violation	7070	7070	7070	7070	7070
Percent of Complaints Resulting in	14%	14%	14%	14%	14%
Disciplinary Action	14%	14%	1470	1470	1470
Recidivism Rate of Those Receiving	3%	3%	3%	3%	3%
Disciplinary Action	3%0	3%0	3%	3%	3%
Percent of Documented Complaints	750/	750/	750/	75%	75%
Resolved Within Six Months	75%	75%	75%	/3%	/3%

NOTES

APPENDIX D

MEASURE DEFINITIONS

The State of Texas uses a set of organized procedures known as the "Strategic Planning and Budgeting System," in which funding and other decisions are based upon what an agency is *accomplishing*, rather than just what they are doing. As an important element of the monitoring phase of budgeting, performance measures serve as specific targets that indicate the success in achieving agency goals.

Introduction to Performance Measures

There are four types of performance measures:

- 1. **Outcome Measures** are tools used to assess an agency's effectiveness in serving its customers and in achieving its mission and goals. An outcome measure is typically expressed as a percentage, rate, or ratio.
- 2. **Output Measures** are tools or indicators, to count the services and goods produced by an agency. They are helpful in assessing agency workload and demand for services as well as agency efforts to address those demands. The number of people receiving service and the number of services delivered are often used as measures of output.
- 3. **Explanatory Measures** reflect the agency's operating environment and explain factors that are relevant to the interpretation of other agency measures.
- 4. **Efficiency Measures** are indicators which quantify costs, unit cost, or productivity associated with a given outcome or output.

Measure Definitions

The definition of a performance measure follows a format prescribed by the Texas Legislative Budget Board. The components of a measure are as follows:

- 1. Short Definition: Provides a brief explanation of the measure, with enough detail to give a general understanding of the measure.
- 2. Purpose/Importance: Describes the intended purpose of the measure and its significance.
- 3. Source/Collection Data: Describes the source of the data or information and how it is collected.
- 4. Method of Calculation: Clearly specifies how the measure is calculated.
- 5. Data Limitations: Identifies any limitations and factors beyond the control of the agency which may impact reported performance.
- 6. Calculation Type: Specifies whether the information is cumulative or non-cumulative from quarter to quarter.
- 7. New Measure: Identifies whether the measure is new or has been significantly changed.
- 8. Desired Performance: Clarifies whether the optimal level of performance is higher, near or lower than projections.

The following is a listing of the TBPG's performance measures and their definitions for fiscal years 2009 and 2010.

PERFORMANCE MEASURES AND DEFINITIONS

Goal A.1.1. Strategy: Registration and Evaluation

Outcome 01-01-01 Percent of Licensees With No Recent Violations

Short Definition: The percent of the total number of licensed individuals at the end of the reporting period who have not incurred a violation within the current and preceding two years (three years total).

Purpose/Importance: This measure is important because it indicates how effectively the agency's activities deter violations of professional standards established by statute and rules.

Source/Collection of Data: The agency responds to either submitted complaints or discovers violations based on agency initiated compliance investigations.

Method of Calculation: This measure is calculated by subtracting the total number of licensees with violations during the three-year period from the total number of licensees at the end of the reporting period. The results is divided by the total number of licensees at the end of the reporting period and multiplied by 100 to achieve a percentage.

Data Limitations: Number of complaints limited if licensees or members of the public are unwilling to submit a formal complaint to the Board. The TBPG has published information on both its website and in newsletters about their enforcement efforts and the details of the complaint process to help mitigate this situation. Thus, complaints received and violations found during compliance investigations are unpredictable and may lead to fluctuating violation numbers annually.

Calculation Type: Non-cumulative.

New Measure: No

Desired Performance: Above projections.

A.1.1. Strategy: Registration and Evaluation

Output 01-01-01 Number of New Licenses Issued to Individuals

Short Definition: The number of licenses issued to previously unlicensed individuals during the reporting period.

Purpose/Importance: This measure provides data relating to the number of individuals desiring to be initially licensed by TBPG and who have successfully met all the licensing criteria.

Source/Collection of Data: Those who contact the TBPG seeking licensure.

Method of Calculation: Total the number of new licenses issued during the reporting period. Those individuals who had a license in the previous reporting period are not counted. An Access report generates the name, license number and date of issuance for each individual issued a license during the reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative.

New Measure: Yes

Desired Performance: Above projections.

Output

01-01-02 Number of New Firms Registered

Short Definition: Total number of new firms registered at the end of the reporting period.

Purpose/Importance: This measure provides data relating to the number of firms that want to be registered by the TBPG to practice geoscience before the public.

Source/Collection of Data: The number of new firms that register with the TBPG.

Method of Calculation: Total the number of new firm registrations issued during the reporting period. Those firms that had been registered in a previous reporting period are not counted.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information once the agency begins registering firms on September 1, 2006 and completes a full year cycle of registrations.

Calculation Type: Cumulative.

New Measure: Yes

Desired Performance: Above projections.

Output

01-01-03 Number of Licenses Renewed (Individuals)

Short Definition: The number of licensed individuals who held licenses previously and renewed their license during the current reporting period.

Purpose/Importance: This measure provides data relating to the number of individuals choosing to remain licensed by TBPG.

Source/Collection of Data: The majority of licenses are renewed online and easily tracked. All manual renewals can be counted and tracked as well.

Method of Calculation: Total the number of licenses renewed during the reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Above projections.

Efficiency

01-01-02 Percentage of New Individual Licenses Issued within Ten Days

Short Definition: The percentage of initial individual license applications that were processed during the reporting period within 10 days measured from the time in days elapsed from receipt of the initial completed application until the license is issued.

Purpose/Importance: This measure indicates the ability of TBPG to process new application in a timely and efficient manner.

Source/Collection of Data: The agency is licensing geology, geophysics and soil science. Appropriate procedures for the collection and storage of data within systems operated by the TBPG are developed.

Method of Calculation: This measure is calculated by dividing the number of

individual licenses issued within 10 days during the reporting period by the total number of individual licenses issued during the reporting period. The result is multiplied by 100 to achieve a percentage.

Data Limitation: There is nothing to prohibit the TBPG from gathering this

information.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Above projections.

Efficiency 01-01-03 Percentage of Individual License Renewals Issued within Seven Days

Short Definition: The percentage of individual license renewal application that were processed during the reporting period within 7 days of receipt in office, measured from the time (in calendar days) elapsed from receipt of the renewal application until the date the renewal license is issued.

Purpose/Importance: This is a measure of TBPG's ability to process renewal applications in timely and efficient manner.

Source/Collection of Data: Although approximately 85% of licensees renew their license online, the remaining 15% must submit their renewal form and fee to the TBPG office. These are renewed immediately upon receipt.

Method of Calculation: This measure is calculated by dividing the number of individual licenses renewed within 7 days during the reporting period by the total number of individual licenses renewed during the reporting period. The result is multiplied by 100 to achieve a percentage.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Above projections.

Efficiency 01-01-04 Average Time for Individual License Renewal (Days)

Short Definition: The average number of calendar days for a license to be renewed.

Purpose/Importance: This measure indicates TBPG's efficiency in processing renewal applications.

Source/Collection of Data: The agency is fully operational. Appropriate procedures for the collection and storage of data within systems operated by the TBPG are developed and activities identify system inconsistencies

Method of Calculation: The average of the number of calendars days elapsed between the receipt of each completed renewal application received during the reporting period and the time that license is issued.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-Cumulative

New Measure: No

Desired Performance: Below projections.

Explanatory 01-01-01 Total Number of Individuals Licensed

Short Definition: Total number of individuals licensed at the end of the reporting period.

Purpose/Importance: This measure indicates the total number of individuals licensed at the end of the reporting period.

Source/Collection of Data: The agency is licensing geology, geophysics and soil science. Appropriate procedures for the collection and storage of data within systems operated by the TBPG are developed.

Method of Calculation: The total number of individuals holding licenses that were issued during the reporting period, minus the deceased, voluntarily relinquished or permanently expired licenses.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-cumulative

New Measure: No

Desired Performance: Above projections.

Explanatory 01-01-02 Average Time for Individual License Issuance

Short Definition: The average number of calendar days for a new license to be issued.

Purpose/Importance: This measure indicates TBPG's efficiency in processing the initial applications for a license.

Source/Collection of Data: The agency is licensing geology, geophysics and soil science. Appropriate procedures for the collection and storage of data within systems operated by the TBPG are developed.

Method of Calculation: The average of the number of calendar days elapsed between the receipt of each completed application received during the period and the time that license is issued.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Below projections.

A.1.3. Strategy: Informational Services

Output 01-01-03-01 Number of Information Requests

Short Definition: The total number of requests received through written open records requests and requests for information packets and other agency information made via phone, fax or email.

Purpose/Importance: This measure indicates the number of requests for information regarding agency statute, rules, policies and programs.

Source/Collection of Data: Staff maintains a log of all open records requests and other requests for agency information packets and brochures.

Method of Calculation: Add the number of requests received from written open records requests and requests for information packets and other agency information made via

phone, fax or email.

Data Limitation: There is nothing to prohibit the TBPG from gathering this

information.

Calculation Type: Cumulative

New Measure: Yes

Desired Performance: Above projections.

Output

01-01-03-02 Number of Information Packets Distributed

Short Definition: The total number of agency pamphlets, brochures, newsletters and other information packets distributed to the general public, schools, students and licensees.

Purpose/Importance: This measure indicates how the agency distributes information to the general public and licensees.

Source/Collection of Data: Agency tracks number of packets ordered and calculates total distributed based on number of packets remaining at the end of the reporting period. **Method of Calculation:** Total number of information packets distributed minus the total

ordered.

Data Limitation: There is nothing to prohibit the TBPG from gathering this

information.

Calculation Type: Cumulative

New Measure: Yes

Desired Performance: Above projections.

Goal: B.1.1 Strategy: Enforcement

Outcome

02-01-01 Percent of Complaints Resulting in Disciplinary Action

Short Definition: Percent of complaints that were resolved during the reporting period that resulted in disciplinary action.

Purpose/Importance: This measure indicates the effectiveness of complaint resolution processes by TBPG.

Source/Collection of Data: Records of disciplinary actions derived from data maintained in our licensing database, LicenseEase is divided by the total number of complaints resolved during the reporting period. The result is multiplied by 100 to achieve a percentage. The source of what constitutes a disciplinary action is defined under Statute 1002.403. The source of what constitutes a complaint is Statute 1002.202. Copies of complaint files are maintained in performance measure quarterly records as well as TBPG's Investigator's records.

Method of Calculation: The number of disciplinary actions divided by the total number of complaints resolved during the reporting period. The result is multiplied by 100 to achieve a percentage.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-Cumulative

New Measure: No

Desired Performance: Above projections.

Outcome

02-01-02 Recidivism Rate for Those Receiving Disciplinary Action

Short Definition: The number of repeat offenders at the end of the reporting period as a percentage of all offenders during the most recent three-year period.

Purpose/Importance: This measure shows how effectively the agency enforces its regulatory requirements.

Source/Collection of Data: The agency will have to rely on formal complaints made against the licensee or on self-initiated investigations to discover a violation. Data is available in licensing database, LicenseEase and is kept under a licensee's information. The agency will utilize disciplinary actions as defined in the Statute under Section 1002.403. Complaint files are maintained with performance measure quarterly records as well as TBPG's Investigator's records.

Method of Calculation: The total number of individuals against whom at least one disciplinary action was taken by the Board during the current period and two or more disciplinary actions were taken within the current and preceding two fiscal years divided by the total number of individuals receiving disciplinary actions within the current and preceding two fiscal years. The result is multiplied by 100 to achieve a percentage.

Data Limitation: Unless a repeat offense occurs and the TBPG receives a formal complaint or discovers the offense through its own investigation, there will be no data to report.

Calculation Type: Non-Cumulative

New Measure: No

Desired Performance: Below projections.

Outcome

02-01-03 Percent of Documented Complaints Resolved within Six Months

Short Definition: The percent of complaints resolved during the reporting period that was resolved within a six month period from the time they were initially received by the agency.

Purpose/Importance: This measure indicates the effectiveness of complaint resolution processes by TBPG.

Source/Collection of Data: Complaints submitted to the agency will be tracked from the date received until they are resolved. Data is maintained in licensing database, LicenseEase and is found under the licensee's information. The agency will utilize complaints as defined in the Statute under Section 1002.202. The Information is kept in the performance measure quarterly reports as well as an Excel spreadsheet the Investigator regularly updates.

Method of Calculation: The total number of complaints resolved within six months from the date of receipt divided by the number of complaints resolved during the reporting period. The result is multiplied by 100 to achieve a percentage.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-Cumulative

New Measure: No

Desired Performance: Above projections.

Output 02-01-01-01 Number

Number of Complaints Resolved

Short Definition: The total number of complaints resolved during the reporting period. **Purpose/Importance:** This measure reflects the efforts of TBPG's enforcement activities to resolve complaints.

Source/Collection of Data: Data is derived from agency's licensing database, LicenseEase. All complaints are given a case number and tracked through completion. Complaints are defined as per Statute 1002.202. Information is kept with performance measure quarterly reports and is available via hard copies from the TBPG Investigator. **Method of Calculation:** The sum of complaints closed during the reporting period upon

Method of Calculation: The sum of complaints closed during the reporting period upon which final action was taken by the Board or agency or for which a determination is made that a violation did not occur minus non-jurisdictional complaints during the same reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this

information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Above projections.

Output

02-01-01-02 Number of Enforcement Cases and Inquiries Resolved

Short Definition: The total number of enforcement cases and inquiries resolved during the reporting period.

Purpose/Importance: This measure reflects the efforts of TBPG's enforcement activities to resolve cases and inquiries.

Source/Collection of Data: Data is derived from agency's licensing database, LicenseEase. All complaints and inquiries are tracked through completion and can be easily counted. Source of enforcement cases and inquiries is from the filing of a complaint as defined per Statute 1002.202. Hard copies of enforcement cases and resolved inquiries are maintained in performance measure quarterly reports and TBPG's Investigator's office.

Method of Calculation: The sum of enforcement cases and inquiries during the reporting period upon which final action was taken by the Board or agency or for which a determination is made that a violation did not occur.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Above projections.

Output

02-01-01-03 Number of Compliance Orders Issued

Short Definition: The total number of compliance orders issued during the reporting period.

Purpose/Importance: This measure reflects the number of TBPG's enforcement activities which require the issuance of a compliance order.

Source/Collection of Data: Data is derived from agency's licensing database, LicenseEase. Any disciplinary action, including compliance orders, is tracked for any

complaint received. Copies of compliance orders issued are kept in the performance measure quarterly reports and the TBPG's Investigator's office.

Method of Calculation: The sum of compliance orders issued during the reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Near projections.

Output 02-01-01-04 Number of Disciplinary Actions Taken

Short Definition: The total number of disciplinary actions taken by the Board during the reporting period.

Purpose/Importance: This measure reflects the number of TBPG's enforcement activities which resulted in disciplinary action by the Board.

Source/Collection of Data: Data is derived from agency licensing database, LicenseEase. All disciplinary action taken by the Board is tracked and therefore easily counted. A disciplinary action is defined under Statute 1002.403. Disciplinary actions are kept in performance measure quarterly reports and TBPG's Investigator's office. **Method of Calculation:** The sum of disciplinary actions taken by the Board during the reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Near projections.

Efficiency 02-01-01 Average Time for Complaint Resolution

Short Definition: The average length of time to resolve a complaint, for all complaints resolved during the reporting period.

Purpose/Importance: This measure indicates the effectiveness of investigative and complaint resolution processes by TBPG.

Source/Collection of Data: Data is derived from agency licensing database, LicenseEase. Appropriate procedures for the collection and storage of data within systems operated by the TBPG have been developed. The data is kept in an Excel spreadsheet available from TBPG Investigator and copies are kept in performance measure quarterly reports.

Method of Calculation: The sum of the number of calendar days elapsed between the receipt of each complaint resolved during the period and the resolution of that complaint divided by the number of complaints resolved during that period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Non-Cumulative

New Measure: No

Desired Performance: Below projections.

Explanatory 02-01-01 Number of Jurisdictional Complaints Received

Short Definition: The total number of complaints received during the reporting period that are within the agency's jurisdiction of statutory responsibility.

Purpose/Importance: This measure indicates the case workload of TBPG.

Source/Collection of Data: Data is derived from agency licensing database, LicenseEase. Appropriate procedures for the collection and storage of data within systems operated by the TBPG have been developed. File folders of complaints are maintained by TBPG's Investigator and hard copies are kept in the performance measure quarterly reports.

Method of Calculation: The sum of all complaints received during the reporting period minus those complaints closed for lack of jurisdiction during the reporting period.

Data Limitation: There is nothing to prohibit the TBPG from gathering this information.

Calculation Type: Cumulative

New Measure: No

Desired Performance: Near projections.

APPENDIX E

FISCAL YEARS 2010 - 2011 WORKFORCE PLAN

Workforce Planning Report

Agency Overview

The Board regulates the public practice of geoscience. This goal is accomplished by issuing licenses to qualified geoscientists, investigating complaints about the unlawful practice of geoscience, and educating the industry and the public about the activities of the Board.

The agency has discovered the following concerns that need to be tracked over the coming fiscal years:

- Enforcement has yet to mature from the perspective of the licensees
- More than half the licensing population is in the mid-50s which could create a large downturn in licensee numbers when they reach retirement
- Renewal fees are considered too high by licensees
- Having enough professional geoscientists to meet the increased demand for their services
- Providing enough outreach to the public and prospective licensees
- The final configuration of the agency staff is yet to be determined

A. Agency Mission

The mission of the Texas Board of Professional Geoscientists is to protect public health, safety, welfare, and the state's natural resources by ensuring that only qualified persons carry out the public practice of geoscience.

Strategic Goals and Objectives

GOAL A	LICENSING
Objective	Provide a licensing system to assure that professional geoscience in Texas is practiced only by qualified and competent Texas Licensees.
Strategies	Application ReviewInformational Services

GOAL B	ENFORCEMENT
Objective	Ensure fair due process for 100 percent of reported violation of the Texas Geoscience Practice Act within 60 days.
Strategy	EnforcementIndirect Administration

B. Anticipated Changes in Strategies

TBPG anticipates several changes that will significantly impact the agency's business and workforce. These changes are outlined below.

• Technology Changes

- ✓ As per HB 1516, the agency will (at a future date) need to have its information technology and related data migrated to a state data center. This may eliminate the need for any current IT and licensing system services the agency currently utilizes. TBPG will not consolidate to a state data center during the next biennium because of the overall cost to the state.
- ✓ Versa Systems may be too inflexible and expensive to be maintained beyond the next biennium. Thus, a new licensing system could replace Versa Systems, assuming the agency doesn't consolidate to a state data center before then.
- ✓ The agency has gone "paperless" with regards to licensee files. Neubus was contracted to scan and store all licensee files on a server for easy access by agency staff using their desktop computers. This allows for increased efficiency in organization and retrieval of files.

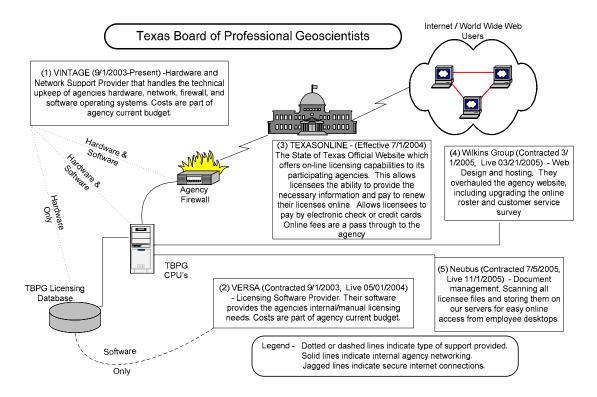


Figure 1: Texas Board of Professional Geoscientists IT structure.

CURRENT WORKFORCE PROFILE (SUPPLY ANALYSIS)

Although there are many important workforce issues facing the agency, it is difficult to address all concerns immediately. TBPG has dedicated its focus on workforce planning issues that will address the most critical areas in the agency. These issues include a placing greater emphasis on employees in enforcement roles, educational outreach programs and evaluating continuing education products.

A Critical Workforce Skills

Although the agency has qualified employees, there are several critical skills that are important to the agency's ability to operate. Without these skills, TBPG could not provide basic business functions. The skills are listed below:

- Conducting investigations
- Interpreting legal statutes
- Consumer support
- Database development and maintenance
- Regulatory process experience
- Public outreach
- Human resource institutional knowledge

B. Workforce Demographics

The following charts profile the agency's workforce as of June 1, 2008. The agency's workforce is comprised of 67% females and 33% males. Over 33% of the employees are over the age of 40. The percentage of employees with less than five years of state experience stands at 33%. This percentage is high enough to warrant strong training programs to ensure our employees are proficient as quickly as possible.

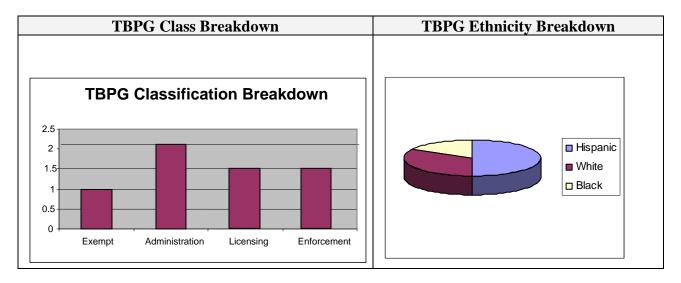
Figure 2: Workforce Breakdown

Workforce Breakdown					
Gender Age		Agency Tenure			
Females: 67% Males: 33%	 1 employee ≥ 50 years 1 employees ≥ 40 years 4 employees ≥ 30 years 0 employee ≥ 20 years 	 Four employees have less than five (5) years agency tenure. First employee hired August 2002. Second employee hired August 2003. Remaining employees hired after September 2003. 			

The agency is authorized 6 full-time employees, which includes one exempt position. There are currently 6 employees who are on staff to analyze and evaluate administrative, financial, licensing, and enforcement issues and the technical/professional credentials of applicants.

The ethnic distribution of the staff is 17% Black, 50% Hispanic, and 33% White. The following tables compare the classes and ethnicity of the agency.

Figure 3: TBPG Classification and Ethnicity Breakdowns



C. Employee Turnover

Turnover is an important issue in any organization, and TBPG is no exception. Average state tenure in the agency is less than 8 years. The agency turnover rate in Fiscal Year 2007 is 0% which is lower than the state average of 17.6%. It is projected that the turnover rate for Fiscal Year 2008 will be 16%.

D. Retirement Eligibility

During fiscal years 2009-2013, the agency projects the potential loss of one employee through retirement. It is important to ensure that the agency's institutional knowledge and organizational experience be preserved.

FUTURE WORKFORCE PROFILE (DEMAND ANALYSIS)

The changing demand for enforcement means TBPG will have to revise current processes and reorganize business units. As a result, these are the anticipated changes in the agency's workforce:

A. Critical Functions

- Expanding an efficient and effective enforcement program
- Administering the Continuing Education Program
- Expansion of the education and community outreach efforts
- Administering the examinations necessary for licensure
- Continuing the efficient and effective licensure of qualified geoscientists

B. Anticipated Workforce Changes

- Increased use of technology to revise and streamline work processes
- Employees cross-trained in functional areas

C. Anticipated Increase in Number of Employees Needed to Do the Work

Agency is matured to the point that additional enforcement effort is necessary and will require additional staffing.

- Anticipated staff level must increase with an Executive Director and a cross-trained Operations Specialist.
- Reciprocity agreements are ongoing and increasing thus requiring additional staffing.
- Increased efficiency and new technologies will allow a shift in priorities and duties.

D. Future Workforce Skills Needed

To administer effectively and efficiently the variety of enforcement investigations and standards under TBPG's jurisdiction, the agency relies on a competent and knowledgeable staff. In addition to the critical competencies listed before, these are additional ones essential for future positions:

- Change management
- Process analysis
- Collaboration
- Negotiation and facilitation
- Project management
- Performance management
- Strategic planning