

**National Legislative Program Evaluation Society (NLPES)
Executive Committee Meeting
Sunday, October 11, 2015
The Curtis Hotel – Denver, Colorado**

Minutes

EC Members and NCSL Liaison Present:

Nathalie Molliet-Ribet (VA), Chair
Rachel Hibbard (HI), Vice-Chair
Greg Fugate (CO), Secretary
Patricia Berger (PA)
Dale Carlson (CA)
Wayne Kidd (UT)
Marcia Lindsay (SC)
Katrin Osterhaus (KS)
Charles Sallee (NM)
Shunti Taylor (GA)
Linda Triplett (MS)
Brenda Erickson, NCSL Liaison

Guests Present:

Vickie Heller (CO)
Emily Johnson (TX-Sunset)

Absent/Excused:

None

8:30 a.m. Call to Order. Nathalie called the meeting to order at 8:30 a.m. and welcomed everyone, especially Pat and Shunti, who are new members of the Executive Committee. Nathalie also welcomed a guest, Emily Johnson (TX-Sunset), and thanked Brenda for all that she does for NLPES. After Nathalie's welcome, all of the Executive Committee members introduced themselves.

8:35 a.m. Opening Remarks. Nathalie made some opening remarks to the Executive Committee, including recognizing Wayne Kidd as the immediate past chair of NLPES. Nathalie thanked Wayne for his hard work, leadership, and promotion of NLPES and wished him well on the NCSL Executive Committee.

Nathalie continued her opening remarks and stated that she is delighted to be Chair this year. She appreciated the Executive Committee's confidence in her and will work hard for NLPES. She expects to be a moderator/facilitator for the group; she wants to make our ideas happen.

Nathalie said that she has spent time reviewing the list of NLPES accomplishments over the past several years—webinars have been successful, PDS attendance is increasing (the Denver PDS will be the highest registrations since 2006), the newsletter was revamped and renamed, we have more participation in the awards program, and we're making headway in the peer review program by developing new materials and guidance.

So even with this list of accomplishments, Nathalie said that she would like to see the Executive Committee add to the training materials available in the online training products matrix. Knowledge transfer among the states is important and remains a goal for NLPES.

8:50 a.m. Approve Minutes from Seattle Meeting. Discussed the minutes from the August 4, 2015 meeting held during the NCSL Legislative Summit in Seattle. Thank you to Marcia for a succinct, yet comprehensive, set of minutes. Rachel requested that “Absent” be changed to “Excused” as appropriate when listing the meeting attendees, since there is a difference.

Katrin asked for an update on the policy amendment that NLPES discussed with one of the standing committees at the NCSL Legislative Summit. The proposed policy language was adopted with some adjustments (the issue related to access to educational records). Nathalie said there was a lot of discussion with the standing committee and it was not a smooth amendment. Some legislators were not supportive of granting greater access to records, even if it would be for auditors. Dale discussed that CA has good access to records and information in his state, but asked if NCSL has ever taken a position to try to get better access for other state legislative auditors. He asked that we put this on the NLPES agenda for further discussion. Wayne said that some of the issue seemed to be concerns about auditors’ ability to protect the data. Brenda explained that NCSL policies are voted on by the membership during the NCSL Legislative Summit and that NCSL will lobby based on policy direction from the membership. NCSL does support legislative rights; the issue could be couched in that context.

Charles moved to adopt the minutes as amended. Wayne seconded the motion and the Executive Committee unanimously approved the minutes as amended.

9:00 a.m. Nominations. Nathalie issued a call for nominations for NLPES Vice-Chair. Greg nominated Rachel, which was seconded by Dale. Without objection, Rachel was elected as the NLPES Vice-Chair.

Nathalie issued a call for nominations for NLPES Secretary. Dale nominated Greg, which was seconded by Rachel. Without objection, Greg was elected as the NLPES Secretary.

9:05 a.m. Elections. Elections for positions on the Executive Committee are coming up in April 2016. Nathalie reviewed the election cycle grid that put that Brenda put together. There are four current Executive Committee members whose terms will end in the spring of 2016—Dale, Charles, Rachel, and Greg. Dale reported that he will not be running for reelection. He suggested that the Executive Committee consider how best to reach out to member offices to encourage them to put forth candidates to run. Katrin suggested putting information into the next newsletter (January/February issue). Nathalie said we could announce information at the PDS

Awards Luncheon on Tuesday and that we have the annual Chair's Letter to member states as additional communication opportunity.

9:10 a.m. Subcommittee Assignments. Nathalie previously communicated the new subcommittee assignments to the Executive Committee on October 9. She indicated that just about everyone got their first- or second-choice preferences and asked people to see her with questions or concerns about assignments. Subcommittee assignments are as follows:

Awards – Rachel (chair), Nathalie, Marcia
Communications – Dale (chair), Shunti, Pat
Professional Development – Katrin (chair), Greg, Linda
Peer Review – Wayne (chair), Charles
Elections – Wayne

9:15 a.m. Break. The Executive Committee recessed for a 15-minute break.

9:30 a.m. Discussion of Educational Data Access Issue. The Executive Committee reconvened and, per Dale's earlier suggestion, spent some time discussing the educational data access issue. The discussion focused on what the Executive Committee can or should do to incentivize states to provide greater or more comprehensive access to data for program evaluators/legislative auditors. Discussion also focused on the fact that any action we take needs to be within the NCSL framework. Some of the questions the Executive Committee members asked during the discussion included: Are we asking for more access? How can we do our jobs when we don't have access to the data we need? Is there something that NLPES can do to encourage other states (directly or indirectly) that don't have broad access to take a step in that direction?

Dale discussed California's broad access to records and the fact that they still get pushback or are asked to sign confidentiality agreements from agencies. Charles said New Mexico is pretty restricted; they can only access anything that isn't confidential. The New Mexico legislature has passed recent bills asking for greater access, but this legislation was vetoed. New Mexico has to work around this access issue, but staff are still successful in answering their research questions. Linda suggested a survey of the states to try to understand what problems member offices are facing, and what problems NLPES would be trying to solve. There was general discussion of the differences in how the offices are structured and whether it is really the role of NLPES to take on this issue—isn't it for each state to determine its own approach in this area?

Pat asked about open records requests on the back end, raising questions about how the confidentiality issue plays into open records requests. There was a general discussion of member offices' practices regarding workpapers, confidentiality, access, open records, etc.

Brenda advised that the Executive Committee could make a statement or issue a position paper. Going beyond the Executive Committee, we could try to work through the Legislative Effectiveness Committee to try to get something broader through NCSL, but usually NCSL policies are things that are lobbied at the federal level.

There was a general discussion about how to move this forward. Because this issue crosses a couple of the subcommittees, the consensus is to have a task force with representatives from the Communications and Professional Development Subcommittees work on this. Greg, Pat, and Nathalie agreed to participate on this task force.

10:00 a.m. Subcommittee Work. The Executive Committee members broke out to meet in their assigned subcommittees.

11:30 a.m. Lunch Break. The Executive Committee recessed for lunch.

1:00 p.m. Denver PDS Update. The Executive Committee reconvened and another guest, Vickie Heller (CO), joined the meeting.

Greg provided an update on the PDS schedule of events, including the general sessions, concurrent sessions, and social events. The Executive Committee had all of their registration materials and members were able to browse the conference program. Greg's discussion focused on the overall flow for the conference. Greg also reviewed moderator responsibilities.

Nathalie passed out the agenda for the awards luncheon and discussed key items. There is a lot on the agenda for the luncheon, so we'll need to keep things moving along on schedule.

Greg spent some time discussing the Denver PDS budget with the Executive Committee. Even with the additional funding the Executive Committee authorized at its meeting in Seattle, it looks like we are still going to be short. Greg shared some thoughts with the Executive Committee related to the Denver PDS that we may want to consider for future PDS planning. First, the Denver PDS is just more expensive than prior PDS because it's a full 3 days—we have additional F&B and A/V costs for this additional day. The higher attendance of 150 people also increases the per person costs. We also do not have another staff section contributing to the hotel F&B as we've had in prior years.

One factor driving the budget is the fact that A/V at the hotel is expensive; more than any of our recent meetings. This is always a big variable in the PDS budget and we need to ensure that NCSL meetings staff work with the hotel early on to get these needs nailed down early so we have time to make decisions. For example, Greg said he was asking for an A/V budget analysis in July, but only really started to get information on the A/V charges in late September. Overall,

the Executive Committee needs to work on a way to gain better control over the A/V budget. Some members asked if A/V can be negotiated as part of the hotel contract, but Brenda said that the A/V is typically a separate vendor from the hotel. Greg said that controlling the A/V budget isn't really about negotiating with the hotel. Rather, it's about having a good understanding of what our A/V needs truly are for the PDS. For example, in Denver we have planned for handheld microphones and projectors for each of the breakout rooms for all three days of the PDS. However, Greg predicts that not all sessions will end up using the projectors, and some may not even use the microphones. There has to be a way where we can perhaps schedule all of the group sessions that won't use A/V into one room. The key to all of this is getting information from the presenters before finalizing the schedule. However, Greg said that most presenters won't commit to presenting until they know which day they are scheduled. Greg likened this to a severe case of chicken and the egg. The Denver PDS A/V costs would be even higher if the Colorado OSA hadn't provided 2 projectors and 1 laptop and NCSL hadn't provided 1 laptop.

Finally, it was suggested that it may be time for the Executive Committee to revisit the registration fee. It hasn't been raised in 5 years, and we may need to rely on higher registration fees once we spend down the excess in our revolving account. The Executive Committee had a brief discussion of the pros and cons of this approach and agreed that it's something we'll need to study more in the future.

Dale moved to approve the use of up to \$20,000 in reserves for PDS costs. Katrin seconded the motion. Motion carried unanimously.

1:50 p.m. Communications Subcommittee Report. Dale provided a review of the subcommittee's morning discussion. Shunti will be taking over as editor of the NLPES Newsletter *The Working Paper*. Pat will be working on reviewing the website and working on keeping content current. Dale will be working with Nathalie on the "Chair's Letter" to be sent to the key contact in each state.

Dale reported that they want to explore ways of reaching out to the newer/younger members of our profession. We need to be sure that NLPES stays connected with the next generation of auditors and organization leaders. The subcommittee has brainstormed a number of ideas that they'll be developing for discussion at future meetings, but he asked members of the Executive Committee also to give this some thought.

There was general discussion of opportunities we have in our offices to promote NLPES to newer staff. Some offices have extensive onboarding and new staff training programs, yet still have limited time (if any) to discuss NLPES, whereas other offices work to promote the NLPES network. So much depends on the leadership of the organization and their perspective on the benefits of NLPES. The discussion then came back around to the importance of outreach and also

encouraging participation in the PDS by offices' senior management—if they can see first-hand the benefits, they will be more likely to provide ongoing support.

2:00 p.m. Awards Subcommittee Report. Rachel provided a review of the subcommittee's morning discussion. The subcommittee is working on some adjustments to the wording on the Impact Award instructions; there was some misunderstanding last year about the meaning of some of the criteria. Rachel said that the changes will clarify that all information that is part of the application package must be received by the submission deadline. There was discussion about how to select judges for the different awards. Marcia will coordinate judging on the Impact Award, Nathalie will coordinate judging on the Research Methods Award, and Rachel will coordinate judging on the Excellence in Evaluation Award.

Rachel reported that notification to winners will continue to be by phone call, followed by a notification letter. Non-winners for all awards will only receive a notification letter.

Up to three submissions may win the Research Methods Award in a given year. Rachel said that the subcommittee will adjust the judges' guidance such that if there are two offices that receive the same numerical score, they will both win. If two offices have substantially similar, but not identical, scores, the judges *may* award to both offices.

2:05 p.m. Professional Development Subcommittee Report. Katrin provided a review of the subcommittee's morning discussion. NLPES sponsored two webinars this past year—pivot tables (Dec 2014) and ethics (July 2015). There was good attendance at both. Our prior webinars have mostly reached NLPES offices, but we would like to have a broader reach in other staff sections. Ideas for future webinars include one from Florida OPPAGA on its research methods award winner (because they weren't able to attend the Denver PDS) and perhaps a webinar on confidentiality in the second part of the calendar year. Dale raised the idea of a webinar related to our prior conversation about auditors' access to information, why it's critical to helping legislators, and what happens when auditors don't get full access. Charles suggested a webinar related to the use of low-cost randomized control trials and perhaps opportunities to bring in outside experts. Charles volunteered to research some potential contacts.

Katrin discussed the training matrix on the NLPES website. The subcommittee will inventory current listings for gaps and relevance. The group discussed possible rebranding as a "Resource Corner" or "Knowledge Base" because many offices already have established training programs and don't see this as a resource when it actually could be. Discussed the need for Executive Committee members to contribute content wherever possible.

Linda reported they have started the initial planning for the PDS in Jackson. To the extent that they are beneficial, Greg will provide Linda with any of the planning materials/worksheets he used to put together the Denver PDS.

2:25 p.m. Peer Review Subcommittee Report. Wayne provided background on the peer review program and efforts to provide better support and guidance to reviewers and offices undergoing the review. Charles is going to work on a draft guideline sheet to reviewers participating on a review so they have a sense of the format and approach to the review. The goal is to have a draft ready for the spring meeting. Wayne is going to work on some tools to better market peer reviews (e.g., brochure, benefits, Q&A, etc.). Wayne and Charles will be consulting Brenda and prior peer review participants when putting together this information.

Brenda provided an update on recent and upcoming reviews. The onsite portion of the review for TX Sunset was completed in September 2015; Brenda is working on the draft report. NE will be in November or December 2015; she is still working on scheduling. HI is on the schedule for peer review in 2016. Perhaps also ME OPEGA and SC LAC, but nothing for certain at this point.

2:25 p.m. Other Business. Linda expressed PEER's excitement about hosting the PDS next year in Jackson. Linda said PEER is going to use the 2 ½-day format for the PDS. Brenda and Linda provided an update on the hotel search/selection. Conference Direct did a solicitation, but respondents didn't seem to have the meeting space available. Linda described that the challenge is that the conference hotels are in downtown Jackson, but the availability of restaurants and other activities is limited and may require transportation to other locations in the evening. The hotels located near some of the newer developments with restaurants don't have sufficient meeting space to accommodate the PDS. There is a possibility of a shuttle bus between locations, but this will add a significant transportation expense to the budget. The dates being explored are late-September through mid-October. PEER will need to determine the ideal dates for its staff since they are the ones hosting. We have the usual challenge of working around holidays, etc. The Executive Committee reviewed and discussed the details of the conference hotels responding to the Conference Direct solicitation. It appears the Marriott Downtown is the front runner. It was also suggested that PEER reach out to the visitors/convention bureau to explore ways to offset some transportation costs. The Executive Committee also discussed the timeline for hotel commitment and will consider and vote on the hotel choice once we get additional information from Brenda and Conference Direct.

Wayne discussed potential locations for future PDS meetings. He spoke with Jan Yamane and they determined that pursuing HI as an option for the PDS is off the table. Wisconsin has also expressed some interest in hosting again (perhaps in 2017) based on the 3-day model. We don't have anyone from WI on the Executive Committee, so this will require some additional coordination/communication effort on the part of the Executive Committee if this

