

Legislative Assistant Guide to the Program Evaluation Division



April 2019

Program Evaluation Division
North Carolina General Assembly
Legislative Office Building, Suite 100
300 North Salisbury Street
Raleigh, NC 27603-5925
919-301-1404
www.ncleg.net/PED



NORTH CAROLINA GENERAL ASSEMBLY

Legislative Services Office

Paul Coble, Legislative Services Officer

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Raleigh, NC 27603-5925
Tel. 919-301-1404 Fax 919-301-1406

John W. Turcotte
Director

April 2019

MEMORANDUM

To: General Assembly Legislative Assistants

This guide is intended to provide you and your Legislator with information about the Program Evaluation Division. We are a non-partisan legislative staff unit of the Legislative Services Office created in 2007 to determine if programs of state government are returning sufficient benefits to justify continued taxpayer investment. We include recommendations in our reports for increasing the efficiency and effectiveness of North Carolina government.

The Joint Legislative Program Evaluation Oversight Committee oversees our staff, approves our workplan containing the topics we are to evaluate, and conducts hearings on our reports. If your Legislator wants us to conduct an evaluation, we are available to help prepare a request for consideration by our Joint Committee.

Our goal is to provide you full access to our personnel and resources. We want to help your Legislator make informed decisions. If your Legislator has any questions or has a program or agency they would like evaluated, please call me directly.

Sincerely,

A handwritten signature in dark ink, appearing to read "John W. Turcotte", with a stylized flourish at the end.

John W. Turcotte
Director



PROGRAM EVALUATION DIVISION

NORTH CAROLINA GENERAL ASSEMBLY

Legislative Assistants' Guide to the Program Evaluation Division (PED)

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PROGRAM EVALUATION DIVISION

NORTH CAROLINA GENERAL ASSEMBLY

General Description of the Program Evaluation Division

Program Evaluation Division and the Joint Legislative Program Evaluation Oversight Committee. Through Session Law 2007-78, the General Assembly created the Joint Legislative Program Evaluation Oversight Committee to oversee formal evaluation of state agency programs by the Program Evaluation Division—a central, non-partisan staff unit of the Legislative Services Commission. The Division functions in partnership with the other Legislative Services Divisions.

Report Topic Selection and Biennial Work Plan. The Joint Legislative Program Evaluation Oversight Committee determines evaluation topics and approves the Division's biennial work plan in consultation with the Division Director. Except for projects assigned by state law, most projects stem from the Oversight Committee's work plan process. Part of the work plan process involves surveying all legislators at the start of the biennium for project ideas. The Division Director may receive and review project requests throughout the biennium from other sources, including requests made by individual legislators, but the Committee has final authority over topic selection.

Focus on Return on State Taxpayer Investment. The mission of the Program Evaluation Division is different from those of other fiscal review and audit organizations. The strategic focus is on program efficacy and return on state taxpayer investment. Although program evaluation is different from financial or performance auditing, the Division consults the State Auditor and agency internal auditors to avoid duplication of effort. Evaluations examine what state agency programs are really doing, at what cost, and to what effect. For programs that are determined to be ineffective, unnecessary, or in need of improvement, the Division's reports recommend policy options for consideration by the General Assembly. The Division then follows up to determine if recommendations have been implemented by agencies or if further action is needed by the General Assembly.

Program Evaluation Division Staff. All full-time program evaluators hold advanced degrees or are certified or licensed professionals.

Program Evaluation Division Contacts

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2018–19 Joint Legislative Program Evaluation Committee

- Senator Brent Jackson, Co-Chair
- Representative Craig Horn, Co-Chair
- Senator Don Davis
- Senator Chuck Edwards
- Senator Valerie P. Foushee
- Senator Paul Newton
- Senator Joyce Waddell
- Senator Andy Wells
- Representative Becky Carney
- Representative Ted Davis
- Representative Jean Farmer-Butterfield
- Representative Julia Howard
- Representative Pat Hurley
- Representative Marvin Lucas
- Representative Jason Saine
- Representative Rena Turner



PROGRAM EVALUATION DIVISION

NORTH CAROLINA GENERAL ASSEMBLY

Division Activities and Accomplishments: 2008–2018

April 2019

Dear Honorable Members of the General Assembly,

We are a permanent non-partisan legislative staff unit of the Legislative Services Office established by law in 2007 to determine if programs of state government are returning sufficient benefits to justify continued taxpayer investment.¹

We have been very active during our first nine years, producing 124 reports with several having legislative action. We include recommendations in our reports for increasing the efficiency and effectiveness of state government. This publication follows up on those recommendations to determine what actions have been taken by the General Assembly or the agencies that were the subject of our evaluations.

Sincerely,

John W. Turcotte
Director

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Program Evaluation Division Return on Investment

From 2008 through December 2018, the Program Evaluation Division (PED) has recommended \$170.1 million in recurring savings and \$115.3 million in non-recurring savings to the State. Though agencies and the General Assembly have the option to implement or reject recommendations, those that have been implemented demonstrate that the division's work is cost beneficial. At present, division recommendations adopted by its directing committee, the Joint Legislative Program Evaluation Oversight Committee (JLPEOC), and implemented by agencies or the General Assembly, save the State \$38.6 million annually. PED's 2017–18 annual recurring budget is \$1.7 million, for an annual recurring benefit-to-cost ratio of almost 23 to 1. An additional \$37.7 million in non-recurring savings also has been implemented based on PED's recommendations.

Outcomes at a Glance

- The General Assembly has enacted legislation based on 42 PED reports.
- PED reports have won eight National Legislative Program Evaluation Society (NLPES) Impact Awards and nine National Conference of State Legislatures (NCSL) Notable Document Awards.
- PED was selected as the recipient of the 2014 Excellence in Evaluation Award from NLPES. The Excellence in Evaluation Award is presented to an office that is determined to have made significant contributions to the field of legislative program evaluation during a four-year period. The Excellence in Evaluation Award is awarded to only one state's office in a given year.
- PED hosted the annual Professional Development Seminar for the National Legislative Program Evaluation Society in 2014.

¹ Session Law 2007-78.

2019 Joint Legislative Program Evaluation Oversight Committee (JLPEOC)

Chairs

Senator Brent Jackson
Representative Craig Horn

Members

Senator Don Davis
Senator Chuck Edwards
Senator Valerie P. Foushee
Senator Paul Newton
Senator Joyce Waddell
Senator Andy Wells
Representative Becky Carney
Representative Ted Davis, Jr.
Representative Jean Farmer-Butterfield
Representative Julia Howard
Representative Pat B. Hurley
Representative Marvin W. Lucas
Representative Jason Saine
Representative Rena W. Turner

Division Staff

Director

John Turcotte

Principal Program Evaluators

Jeff Grimes
Sean Hamel
Jim Horne
Kiernan McGorty
Sara Nienow
Carol Shaw

Senior Program Evaluators

Josh Love
Brent Lucas

Program Evaluator II

Emily B. McCartha

Program Evaluators

Jacob Ford
Adora Thayer

Research Assistant

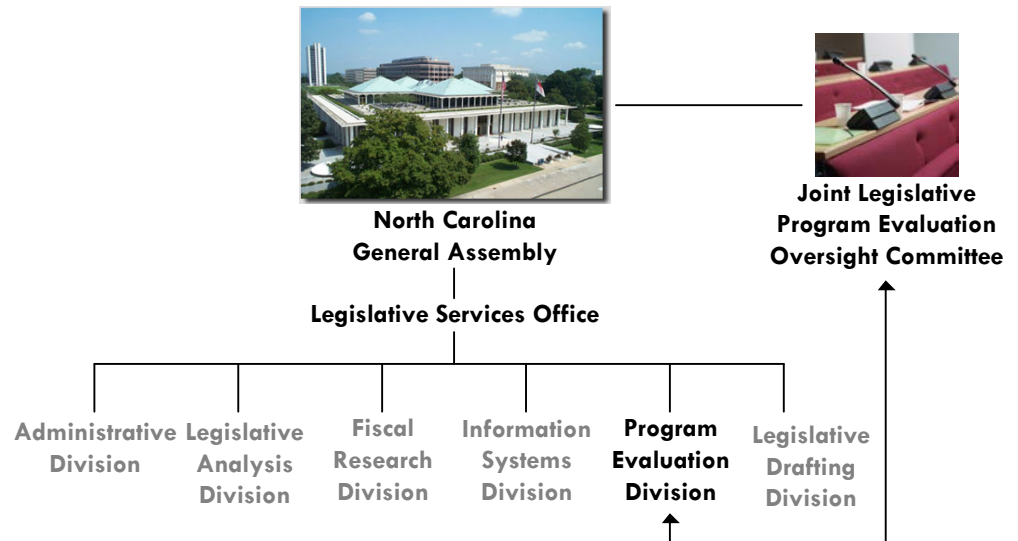
Sidney Thomas

Evaluation Technician

Doris Gilbert

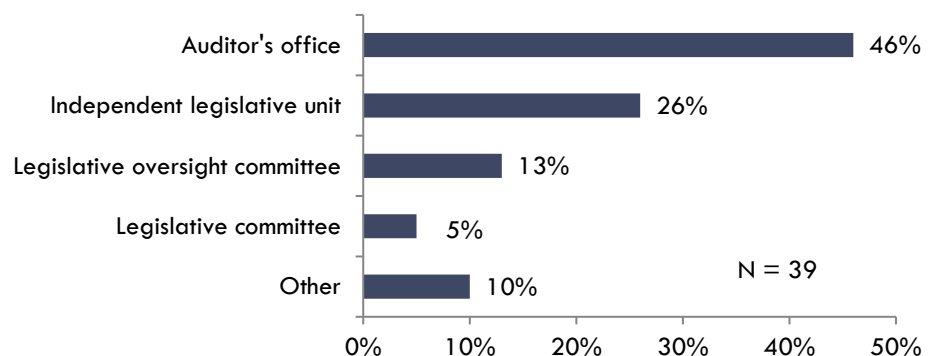
Legislative Oversight Organization in North Carolina

The Program Evaluation Division (PED) assists the General Assembly in fulfilling its responsibility to oversee government functions. PED primarily supports legislative oversight by conducting independent evaluations of state government as directed by the Joint Legislative Program Evaluation Oversight Committee (JLPEOC). As legislators perform their oversight function, they often have questions about how policies are being implemented, how money is being spent, and what results are being achieved. PED addresses those questions from an unbiased perspective through program evaluations.



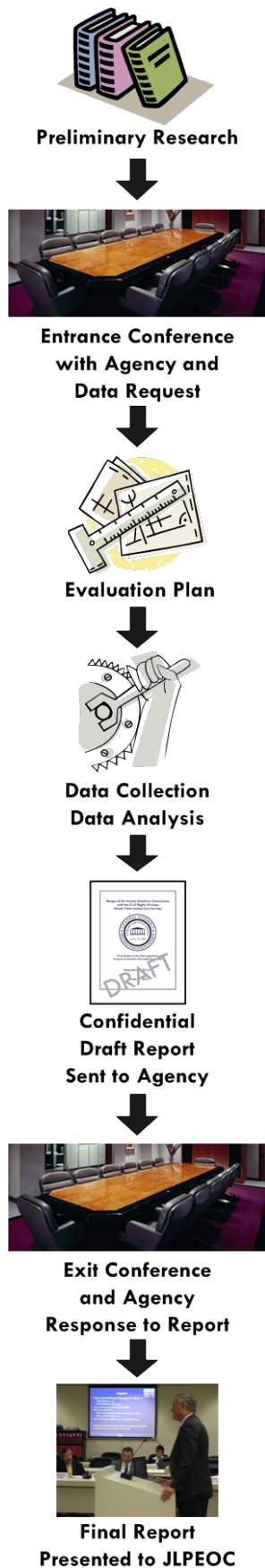
Legislative Oversight Organization Across the Country

North Carolina was one of the last states to create a legislative program evaluation unit. The organizational placement of legislative evaluation units varies across the country (see figure below).² About one-quarter of states, including North Carolina, have evaluation offices that operate as independent legislative units. Almost half of states have evaluation offices that are part of the legislative auditor's office, whereas only a few states have evaluation offices within a legislative oversight or other committee. About two-thirds of states have a separate office that also conducts audits, typically a state auditor that conducts mainly financial audits as part of the executive branch.

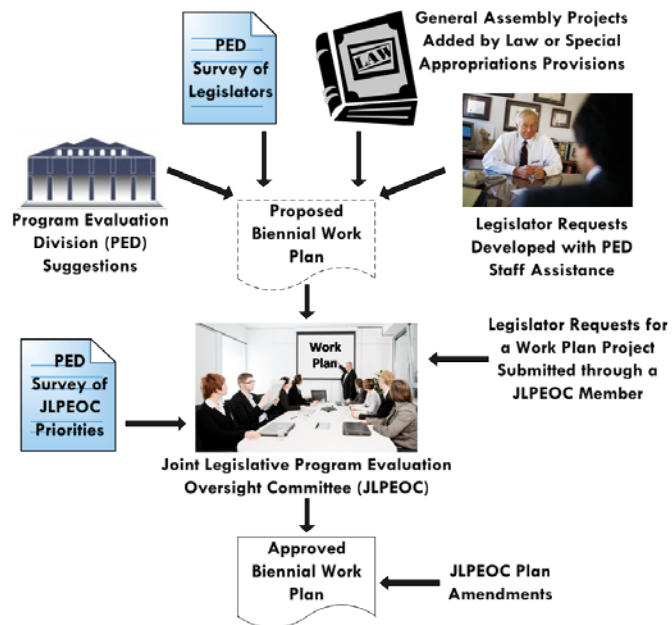


² Ensuring the Public Trust 2015: Program Policy Evaluation's Role in Serving State Legislatures. Retrieved from <http://www.ncsl.org/legislative-staff/nlps/survey-ensuring-the-public-trust.aspx>.

Program Evaluation Process



Process for Determining Report Topics



Summary of PED Reports Released to Date

Year	Report Directed By	Number of Reports Released
2008	Act of General Assembly	2
2008	JLPEOC Work Plan	7
2009	Act of General Assembly	1
2009	JLPEOC Work Plan	6
2010	Act of General Assembly	6
2010	JLPEOC Work Plan	4
2011	Act of General Assembly	8
2011	JLPEOC Work Plan	3
2012	Act of General Assembly	9
2012	JLPEOC Work Plan	4
2013	Act of General Assembly	3
2013	JLPEOC Work Plan	7
2014	Act of General Assembly	3
2014	JLPEOC Work Plan	12
2015	Act of General Assembly	2
2015	JLPEOC Work Plan	11
2016	Act of General Assembly	2
2016	JLPEOC Work Plan	10
2017	Act of General Assembly	1
2017	JLPEOC Work Plan	12
2018	Act of General Assembly	5
2018	JLPEOC Work Plan	6
Total Reports Released to Date		124



PROGRAM EVALUATION DIVISION

NORTH CAROLINA GENERAL ASSEMBLY

2018–19 Work Plan (Updated April 1, 2019)

As outlined in the Program Evaluation Division's enabling statute, the biennial work plan is developed by the Joint Legislative Program Evaluation Oversight Committee and the Division Director, with input from staff. Requests for program evaluations must come from a member of the General Assembly. The Division Director will review the requests in light of staff capacity and the current work plan and will make a recommendation to the Oversight Committee as to alterations of the work plan.

Projects Recently Completed:

NRCS Environmental Quality Incentive Program (NRCS-EQIP). This project examined the efficiency and effectiveness of the grant application process for stream restoration evaluations administered by the Division of Water Resources of the Department of Environmental Quality under the Natural Resources Conservation Service's (US Department of Agriculture) Environmental Quality Incentive Program. This program provides grants for stream restoration evaluations conducted on agricultural or non-industrial forest lands.

PED Contact: Jim Horne (jim.horne@ncleg.net; 301-1936)

Economic Development Partnership of North Carolina. This project examined the effectiveness of the Economic Development Partnership of North Carolina (EDPNC), a private nonprofit organization that was created in 2014 through legislation and is responsible for a number of economic development "marketing and sales" functions that previously resided within the North Carolina Department of Commerce. These responsibilities include new business recruitment; existing industry support; international trade and export assistance; small business counseling; and tourism, film, and sports promotion.

PED Contact: Sara Nienow (sara.nienow@ncleg.net; 301-1413)

Sedimentation and Stormwater Control Programs. This project evaluated the effectiveness and efficiency of the sedimentation and stormwater control permit programs administered by the Division of Energy, Mineral and Land Resources (DEMLR) in the Department of Environmental Quality (DEQ). DEMLR administers the State Sedimentation Control Program and the federally mandated National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Program. Both programs issue permits intended to prevent sediment pollution from leaving construction sites and protect North Carolina surface waters. This evaluation considered whether program activities provided by both programs are duplicative.

PED Contact: Adora Thayer (adora.thayer@ncleg.net; 301-1400)

Modernizing Spirituous Liquor Sales in NC. This project examined whether other systems for alcohol beverage control are appropriate for North Carolina. This evaluation provided a review of other alcohol beverage control systems, including the State of Washington, which recently changed its beverage control system from state government control of wholesale and retail control of spirituous liquor to a licensure model. The Program Evaluation Division's report *North Carolina's Alcohol Beverage Control System Is Outdated and Needs Modernization* recommended that the General Assembly consider whether the current system of alcohol beverage control needed further modernization.

PED Contact: Carol Shaw (carol.shaw@ncleg.net; 301-1216)

Services for Students with Disabilities. This evaluation examined the provision of services for students with disabilities at home and in school including State and federal guidelines and policies for determining the need for and the appropriate setting for services (in school, at home, or other setting). The evaluation also examined how Medicaid and other funding sources pay for these services including ensuring that services are medically necessary and not duplicated across settings.

PED Contact: Emily B. McCartha (emily.mccartha@ncleg.net; 301-1423)

Projects Underway:

Disaster Recovery Acts. This evaluation will study implementation of S.L. 2016-124 and S.L. 2017-119 (2016/2017 Disaster Recovery Acts). The project will examine the State's current structure for distributing both state and federal funds, including federal Community Development Block Grant – Disaster Recovery funds, and determine whether modifications to the structure would result in increased time efficiencies in distributing funds to qualified recipients. It will also examine the current reporting requirements in this section and the 2016/2017 Disaster Recovery Acts to determine what modifications would provide the General Assembly with more complete and integrated information regarding the status of disaster recovery.

Disadvantaged Schools That Succeed. This evaluation will identify at least 10 high performing American school systems with predominantly economically disadvantaged student populations and compare the systems on several variables (e.g., pupil academic performance outcomes, charter school prevalence, student mobility, per pupil funding by source, total system and school average daily membership, pupil special need, school lunch assistance percentages, school calendars). In addition, this evaluation will explore reasons for the better outcomes of these systems and report on any common best practices applicable to North Carolina.

Child Protection Screening. This evaluation will examine the effectiveness of the child protective screening process used by county departments of social services and determine whether there are differences in how county departments of social services approach child protection screening and identify the need for a child protection response. The evaluation will also evaluate state supervision and guidelines for child protection screening. In North Carolina, child protective services are state-supervised by the Department of Health and Human Services and county-administered by 100 county departments of social services. Child protection screening is the process used by county departments of social services to determine whether reports of child maltreatment require a child protection response.

State Scholarships and Education Loan Programs. This evaluation will examine the extent to which state-funded scholarships, grants, and educational loan programs have met their goals. The evaluation will also examine the educational and vocational outcomes of students who have received this support.

State Ports Authority. This evaluation will examine the efficiency and effectiveness of the State Ports Authority and its operation of the Wilmington and Morehead City ports. The State Ports Authority is charged with promoting, developing, constructing, equipping, maintaining, and operating the harbors and seaports within the State. The 2017 financial audit of the Authority showed that its profitability had decreased over the previous year, and the General Assembly has appropriated \$70 million for capital evaluations in recent years.

Projects Pending:

NC Innovations Waiver Services (Medicaid). This evaluation will examine the efficiency and effectiveness of the NC Medicaid Innovations Waiver Service – a federally approved 1915 C Medicaid Home and Community-Based Services Waiver. It allows individuals with intellectual or development disabilities to receive long-term care and services in their home or community instead of an institutional setting. The NC system contracts with LME-MCOs to facilitate services and oversee a network of community-based service providers.

Organizational Layers in the Department of Environmental Quality. This evaluation will examine the organizational layers of the Department of Environmental Quality (DEQ) by conducting a bottom up review of all supervisory, managerial, and executive positions and examine level of approvals required for issuance of permits for more complex industrial and agricultural activities. The Program Evaluation Division's report Most Departments' Spans of Control and Number of Organizational Layers Do Not Meet Recommended Levels found that DEQ had 10 organizational layers, which exceeded the statewide standard of 7 and was the fourth highest among the 21 principal departments.

Regional Councils of Government. This evaluation will examine the effectiveness of the 16 Regional Councils of Government in North Carolina including an examination of overall operations, staffing, activities, performance measures, finances, and services provided to local governments. Regional councils of governments are authorized under state law and executive order, and they provide programs and services to their local governments and residents.

Program Evaluation Division Web Page

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NORTH CAROLINA GENERAL ASSEMBLY

Find a Bill 2019-2020 Session Bill # (Ex: H1 or S1) GO

HOUSE SENATE AUDIO CALENDARS COMMITTEES BILLS & LAWS DIVISIONS DISTRICT REPRESENTATION ABOUT

NEWS & INFORMATION Visit Inside Info

Welcome to the updated website! Please be aware that some links have changed and you may have to review the menu options located at the top and bottom, review the [sitemap](#), or use the full site search to find what you are looking for.

2017-2018 Legislation with Effective Dates of July 1, 2018 through January 1, 2019

2018 Budget Information (Senate Bill 99 Bill Status History) >

News Archive

LEGISLATIVE DIVISION

FISCAL RESEARCH

LEGISLATIVE DRAFTING

PROGRAM EVALUATION

LEGISLATIVE ANALYSIS

GENERAL ASSEMBLY POLICE

HO LEGISLATIVE PUBLICATIONS

Convenes Tuesday, 4/2/19 at 4:45 p.m.

Calendar

Chamber Dashboard

Bills with House action by day

House bills filed by day

SENATE

In recess until 3:45 p.m.

Calendar

Chamber Dashboard

Bills with Senate action by day

Senate bills filed by day

LEGISLATIVE CALENDAR

Tuesday, April 2, 2019

8:30 AM	House: Appropriations, Transportation	1228/1327 LB
8:30 AM	House: Appropriations, Education	423 LOB
9:00 AM	Senate: Select Committee on Nominations -- UPDATED	1027/1128 LB
9:30 AM	Senate: Session Convenes	Senate
9:30 AM	Senate: Rules and Operations of the Senate	1027/1128 LB
10:00 AM	Senate: Judiciary	1124/1224 LB
TUE 4/2	10:00 AM House: Transportation -- UPDATED	544 LOB
	10:00 AM House: Health -- UPDATED	643 LOB

Social Time (11:30) House: Education - Universities -- UPDATED

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PROGRAM EVALUATION DIVISION
NORTH CAROLINA GENERAL ASSEMBLY

Home About Us Committee Work Plan Current Evaluations Measurability Reports Legislative Tracking Child Council

Welcome to the Program Evaluation Division Website

The Program Evaluation Division (PED) is a central, non-partisan unit of the Legislative Services Commission of the North Carolina General Assembly that assists the General Assembly in fulfilling its responsibility to oversee government functions. The mission of the Program Evaluation Division is to evaluate whether public services are delivered in an effective and efficient manner and in accordance with the law. The Joint Legislative Program Evaluation Oversight Committee oversees formal evaluation of state agency programs by the Program Evaluation Division.

JPLOEC MEETING

The Joint Legislative Program Evaluation Oversight Committee is next scheduled to meet on Monday, April 8, 2019 at 1:00 p.m. in Room 544 of the Legislative Office Building.

- Draft Agenda

LEGISLATION UPDATE

The 2019-20 legislative session of the North Carolina General Assembly is currently underway. Our [Legislative tracking](#) resource will be updated several times per week with status information on bills derived from PED report recommendations.

CURRENT EVALUATIONS

The status of each of our [current evaluations](#) is updated on a weekly basis.

RFQ for MEASURABILITY ASSESSORS

The Program Evaluation Division now provides two means of examining state programs—evaluations and [measurability assessments](#). Whereas evaluations are in-depth studies conducted of existing state programs to determine whether they are effective and efficient and in accordance with the law, measurability assessments determine whether new and existing state programs collect the performance information necessary to inform any future inquiries into their effectiveness and efficiency.

The General Assembly enacted the [Measurability Assessment Act, NC G.S. 143E](#), in 2016. The law requires the Program Evaluation Division to contract with independent assessors to assess whether new or existing programs or pilot projects are “measurable,” i.e. lower risk and capable of reporting return on investment. Assessors will assess programs or pilots designated directly by the General Assembly or by the Joint Legislative Program Evaluation Oversight Committee through the statutory PED work plan. The law states that agencies and programs assessed will reimburse PED for the cost of the assessment.

NEWS

WRAL-TV, CBS 17, Carolina Journal, and the News and Observer reported on the release of PED's report, [Changing How North Carolina Controls Liquor Sales Has Operational, Regulatory, and Financial Ramifications](#).

On January 30, 2019, the [News and Observer](#) and [Triangle Business Journal](#) covered the release and presentation of PED's report, [Economic Development Partnership of North Carolina Should Increase Private Funding and Improve Formal Coordination with Department of Commerce](#). The Winston-Salem Journal covered the report's release on February 1, 2019.

On December 6, 2018, North Carolina Health News reported on legislation derived from PED's October 2018 report, [Modifications to Inmate Pharmacy Purchasing and Monitoring Could Save \\$13.4 Million Annually](#).

Recent Reports

- [Stream Restoration Projects Receive Duplicative State Funding and Inadequate Performance Management](#)
- [Changing How North Carolina Controls Liquor Sales Has Operational, Regulatory, and Financial Ramifications](#)
- [Economic Development Partnership of North Carolina Should Increase Private Funding and Improve Formal Coordination with Department of Commerce](#)
- [Opportunities Exist to Improve the Erosion and Sedimentation Control Program and Recover \\$1.7 Million in Annual Costs](#)
- [Minimal Evidence Found of Service Duplication for Students with Disabilities in Schools and Communities](#)
- [Improvements to Inmate Healthcare Reimbursement and Internal Processes Could Save \\$5.6 Million Annually](#)
- [Modifications to Inmate Pharmacy Purchasing and Monitoring Could Save \\$13.4 Million Annually](#)

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Status of PED Projects

North Carolina General Assembly | Program Evaluation Division | Article 7C.pdf | www.ncleg.net/PED/CurrentEvaluations.html

PROGRAM EVALUATION DIVISION NORTH CAROLINA GENERAL ASSEMBLY

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Current Evaluations (Week of January 6, 2017)

Printer-Friendly Version

The status of evaluations is updated on a weekly basis. Scheduled completion dates are subject to change.

Projects Currently Underway

Evaluation	Mandate	Planning	Fieldwork	Writing	Weekly Update	Presentation
School Calendar Flexibility	2015-17 Work Plan	■	■	□	Click for Current Status	February 2017
School Construction Needs	2015-17 Work Plan	■	■	□	Click for Current Status	March 2017
School Nurses	2015-17 Work Plan	■	□	□	Click for Current Status	April 2017
State Lottery	2015-17 Work Plan	■	■	□	Click for Current Status	April 2017
Review of DOT's Ferry Division	2015-17 Work Plan	■	□	□	Click for Current Status	TBD
Education Funding Dispute Resolution	Session Law 2016-116	□	□	□	Click for Current Status	TBD

Projects Pending

Evaluation	Mandate	Planning	Fieldwork	Writing	Weekly Update	Presentation
Feasibility of Consolidating State Purchase of Health Care Services	2015-17 Work Plan	□	□	□		TBD
Performance of Medicaid Data Warehouse (NCAnalytics)	2015-17 Work Plan	□	□	□		TBD
Management of Inmate Health Care	2015-17 Work Plan	□	□	□		TBD
Implementation of Results First in NC	2015-17 Work Plan	□	□	□		TBD
Professional Educator Licensure Process and Teacher Education Requirements	2015-17 Work Plan	□	□	□		TBD
Management of State Pension Fund Investments	2015-17 Work Plan	□	□	□		TBD

Key: ■ = Task Completed. □ = Task in Progress. □ = Task Not Underway.

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Program Evaluation Division, North Carolina General Assembly

North Carolina General Assembly | Program Evaluation Division | Article 7C.pdf | www.ncleg.net/PED/CurrentEvaluations/DisputeResolution.html

PROGRAM EVALUATION DIVISION NORTH CAROLINA GENERAL ASSEMBLY

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Education Funding Dispute Resolution

Project Scope: As directed by **Session Law 2016-116**, the Program Evaluation Division shall conduct a comprehensive study of the procedure set forth in Article 31 of Chapter 115C of the General Statutes for resolving education funding disputes between local boards of education and boards of county commissioners.

Project Mandate: Session Law 2016-116

Agency or Agencies Under Review: N/A

Project Lead: Sean Hamel

Status Report for Week Ending January 13, 2017:

- Identifying key researching questions
- Conducting background research
- Drafting evaluation plan
- Scheduling entrance conference
- Engagement letter sent to agency
- Entrance conference with agency scheduled for 02/02/2017
- Writing up background research

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Program Evaluation Division, North Carolina General Assembly
Legislative Office Building, Suite 100
300 North Salisbury Street, Raleigh, NC 27603-5925
919-301-1404

Program Evaluation Division Staff Bios



John W. Turcotte, Director

John is a career legislative program evaluator who has now headed legislative program evaluation staffs in three states over a 40-year period. The Legislative Services Commission appointed John as the first Director of the Program Evaluation Division in June 2007 following his services as Project Manager of the NC General Assembly's Government Performance Audit Committee in 2006. John was CEO of Turcotte Public Administration Consulting and Training, LLC (TPACT) from 2003–2007. TPACT provided training and consulting for audit and other knowledge-based staffs at all levels of government. From 1996–2003, John was Director of the Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA). From 1977–1995, John served as Director of Mississippi's Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER). In Mississippi, Florida, and North Carolina, John and his staffs produced over 907 technical reports and program evaluations. He was the National Staff Chair of the National Conference of State Legislatures in 1994. John has also been an Adjunct Professor of Political Science at Mississippi College and Millsaps College and an Instructor of American Government at Hinds Community College in Jackson, Mississippi. He began his career as a math and science teacher in Mississippi. He received a B.A. in Political Science with Highest Honors and a M.A. in Political Science and American Government from the University of Southern Mississippi. He completed additional study at Millsaps College, the Federal Executive Institute, Mississippi State Executive Development Institute, and the National Conference of State Legislatures Legislative Staff Management Institute. In 1986, the Council of State Governments selected John as one of the first group of Henry Toll Fellows. **Technical Specialties:** Program Evaluation and Policy Analysis; Contracting and Procurement; Examination and Analysis: Public Budgeting and Finance. **Policy Specialties:** Measurement of Government and Non-Profit Performance Including Outputs, Outcomes, and Benchmarks: Personnel Training and Management Development; Public Administration and Government Operations: State.



Carol Shaw, Principal Program Evaluator

Carol came to the Program Evaluation Division in August 2007 from the NC General Assembly's Fiscal Research Division, where she had worked for 24 years. In the Program Evaluation Division, she has led evaluations of the school calendar law, Medicaid eligibility determinations, Department of Insurance licensure, Douglas County (CO)'s approach to school choice, the organizational structure of Medicaid, management of state motor fleet, administration of county departments of social services, the budget and financial management of state government, and the alcohol beverage control system. In the Fiscal Research Division, she was a Principal Fiscal Analyst and Team Leader for the Health and Human Services Team, and she is an acknowledged expert on the NC Medicaid Program. Carol's policy and budgetary knowledge extends to many other departments of State government including Agriculture and Consumer Services, Commerce, Labor, Transportation, Employment Security Commission, Housing Finance Agency, Wildlife Resources Commission, State Ports Authority, and Environment and Natural Resources. With her extensive experience advising the legislature, Carol is practiced in conducting policy and program analyses. She holds a Masters of Regional Planning (1983) and B.A. in American Studies (1980), summa cum laude, both from The University of North Carolina at Chapel Hill. She has served on the National Conference of State Legislatures Executive Committee.



Kiernan McGorty, J.D., Ph.D., Principal Program Evaluator and General Counsel

Kiernan joined the Program Evaluation Division in November 2007. She currently leads the Division's new Measurability Assessment program and serves as General Counsel to the Joint Legislative Program Evaluation Oversight Committee. She has led evaluations of the Board of Review, Retiree Health Benefit Fund, state-administered funds related to fire, rescue, and EMS departments, the Human Relations Commission and Civil Rights Division, DMV's oversight of license plate agencies, the state retirement system, the statewide high school graduation project requirement, and Medicaid's private duty nursing service. Prior to her work at PED, she was a Project Director at the NC Institute of Medicine, an independent, quasi-state agency that provides information on issues of relevance to the health of North Carolina's population. From 2004–2006, Kiernan was a law clerk with the Nebraska Health and Human Services System where she represented the department in administrative hearings. She received her Ph.D. in cognitive psychology (2007) and her J.D. (2006), with a concentration in healthcare law, from the University of Nebraska at Lincoln. She has published articles in legal, medical, and psychological journals. Kiernan graduated cum laude from Davidson College with a B.S. in psychology (2001).



Sean Hamel, Principal Program Evaluator

Sean joined PED in June of 2008. Since then, he has led evaluations of school funding dispute resolution, the allotment system for funding K-12 public education, the management of real property, the system for monitoring and preventing the abuse of prescribed controlled substances, management of the state motor fleet, the Indian Cultural Center, the Department of Transportation's Global TransPark Authority, and the Department of Environment and Natural Resources' Underground Storage Tank Program. His previous research experience includes developing, refining, and testing the cost estimation relationships of government systems integration for the Department of Defense's Program Analysis and Evaluation Group. He served as a research affiliate for the Software Engineering Institute in support of the Dynamic Systems work group. He has worked as an instructor in two capacities: as adjunct faculty with the Center for Excellence in Public Leadership at George Washington University and as a teaching assistant of political science courses at North Carolina State University. Sean earned his Masters of Public Administration from North Carolina State University and has earned a B.S. and M.S. from the University of Tennessee.



James D. Horne, Principal Program Evaluator

Jim joined the Program Evaluation Division in January 2012. He was the lead evaluator on projects examining the allocation of attorneys in state government, the state lottery, the North Carolina Railroad Company, and the State's child support program. Jim has 35 years of state and federal experience with performance audits. Previously, he worked at the Office of the State Auditor for 5 years and, prior to that, he worked at the Air Force Audit Agency for 30 years. Jim began his career as a marketing teacher in Greensboro. He continued teaching as an adjunct accounting instructor at Mount Olive College, Saint Leo College, and North Carolina Wesleyan College for 17 years while working for the Air Force. Jim received an AB in Education from the University of North Carolina at Chapel Hill and a MS in Business Education from the University of North Carolina at Greensboro. Jim is a Certified Public Accountant and a Certified Government Financial Manager.



Sara Nienow, Principal Program Evaluator

Sara joined the Program Evaluation Division in May 2013. She served as lead evaluator for projects addressing the Economic Development Partnership of North Carolina, school nurses, community college funding, the alcohol tax earmark, and the economic development tiers system. Prior to her work at PED, she was an economist with the N.C. Department of Environment and Natural Resources (DENR). Her work for DENR included the development of fiscal notes for rulemaking actions, program measurement, and budget formation. Prior to her work at DENR, Sara worked for six years as a policy analyst with the North Carolina Department of Commerce. In this position she evaluated tax incentive programs, analyzed the state's creative economy, and assessed the economic impact of the military and other industries. Sara received an M.S. in Agricultural and Applied Economics from Purdue University and has been designated a Certified Community Researcher (CCR) by the Council for Community and Economic Research (C2ER).



Jeff Grimes, Principal Program Evaluator

Jeff joined the Program Evaluation Division in January of 2012. He has led evaluations of inpatient substance abuse treatment programs, state ownership of submerged land, and supplemental insurance benefits for state employees. In his professional career, he has served as a vice president at a community foundation, worked as a consultant to nonprofit and government organizations, and taught environmental science at a university in China. Jeff received a Master of Public Policy from Duke University and graduated cum laude from Allegheny College with a B.S. in Environmental Science and Political Science.



Brent Lucas, Ph.D., Senior Program Evaluator

Brent joined the Program Evaluation Division in May 2013. Since joining PED, he has served as lead evaluator on projects evaluating inmate healthcare, spans of control and organizational layers in state government executive offices, the North Carolina Guaranteed Admissions Program, and overnight respite at adult day care facilities. Prior to joining PED, he was an instructor in political science at North Carolina State University, teaching courses in data analysis, public policy, public administration, and American government and politics. His prior work experience includes serving as a research assistant with the Fiscal Research Division of the North Carolina General Assembly and as a graduate assistant in Institutional Research at the University of North Carolina at Greensboro. Brent completed his Ph.D. in Public Administration at North Carolina State University in May 2014. Brent received an M.P.A. from the University of North Carolina at Greensboro and a B.A. in Government, with a concentration in Public Administration and Policy, from Campbell University.



Josh Love, Senior Program Evaluator/ Publications Coordinator

Josh joined the Program Evaluation Division in May 2013. Prior to joining PED, he worked for the North Carolina Wildlife Resources Commission from 2006–2011. He also worked in the circulation department of the *Athens Banner-Herald* newspaper in Athens, GA from 2002–2006. For ten years he served in a variety of capacities as a freelance journalist for a number of publications, including *The News and Observer*, *Pitchfork*, *Stylus Magazine*, and *The Village Voice*. He earned an M.S. in information science from UNC-Chapel Hill in 2013 and a B.A. in English from the same institution in 2002. While pursuing his master's degree, Josh served as a research assistant for the Environmental Protection Agency and also worked as a medical library intern for Rex Hospital in Raleigh.



Emily B. McCarthy, Program Evaluator II

Emily joined the Program Evaluation Division in May 2016. She served as lead evaluator for the project examining Educator Preparation Programs. Prior to joining PED, she worked on a research team based out of North Carolina State University that evaluated state-level programs and conducted research on multi-level, intergovernmental interactions on Type I wildfire events. She also served as an instructor at North Carolina State University, teaching undergraduate courses in public policy and American government. She currently serves as an instructor for the online Master of Public Administration program at The University of North Carolina, teaching an evaluation and data analysis course. Prior to moving to North Carolina, Emily worked for an arts-education nonprofit organization in Austin, Texas. She received her Master of Public Affairs degree from the LBJ School at the University of Texas at Austin and also earned a B.A. in Urban Studies with a concentration in Government from UT-Austin. She is working to complete her PhD in Public Administration at NCSU by the fall of 2017.



Adora Thayer, Program Evaluator

Adora joined the Program Evaluation Division in May 2017. Prior to joining PED, she completed a local government management internship and earned eight years of work experience in bankruptcy law and the federal court system. She received an M.P.A. with a concentration in Public Policy from UNC-Chapel Hill's School of Government, during which time she served as a research assistant focused on strategic human capital initiatives and professional leadership development. She also earned a B.A. in Political Science with a concentration in History from the University of South Carolina-Aiken.



Jacob Ford, Program Evaluator

Jacob joined the Program Evaluation Division in July 2018. Prior to joining PED, he worked as a statistician and research analyst with a team of education policy specialists in Washington, DC. His primary fields of work included education and labor policy, economic impact studies, and statistical modeling. He received an M.P.P. from Georgetown University, during his pursuit of which he served as Editor-in-Chief of the *Georgetown Public Policy Review* and served in the inaugural class of Baker Innovators. Additionally, he earned a B.S. in Mathematics from Allegheny College.



Sidney Thomas, J.D., M.P.A., Research Assistant

Sidney joined the Program Evaluation Division in October 2017. Prior to joining PED, she practiced as a volunteer district attorney in Orange County's District Attorney's Office and earned six years of legal experience in several offices handling criminal cases and estates and wills. She received her J.D. and M.P.A. from North Carolina Central. During that time, she served as research assistant for the Public Administration department's chair, focusing on program accreditation and improving the curriculum for dual-degree students. From 2015 to 2017 she served as a state Senate intern. Sidney also earned a B.A. in Political Science with minors in Criminal Justice and Spanish from the University of North Carolina at Pembroke.



Doris Gilbert, Program Evaluation Technician and Administrative Assistant

Doris joined the Program Evaluation Division in June 2007. Prior to her work at PED, she was the Office Manager for the NC Progress Board for six years. Doris worked for state government starting in 1964, retiring in 1995. For 17 years, she worked for NC State University in various departments. Her work at NC Public Television in Development involved all aspects of fundraising where she was the Manager of the Development Fundraising Division. Doris returned to state government in 1983 with the Department of Administration, Secretary's Office and later, in 1995, retired from the Office of the State Controller. Since her retirement, she has continued to work part-time.

Article 7C.

Program Evaluation.

§ 120-36.11. Program Evaluation Division established; definitions.

(a) Division. – The Program Evaluation Division of the Legislative Services Commission is established as a staff agency of the General Assembly. The purpose of the Division is to assist the General Assembly in fulfilling its responsibility to oversee government functions by providing an independent, objective source of information to be used in evaluating whether programs or activities of a State agency, or programs or activities of a non-State entity conducted or provided using State funds, are operated and delivered in the most effective and efficient manner and in accordance with law.

(b) Director. – The Director of the Program Evaluation Division is appointed by the Legislative Services Commission and serves at the pleasure of the Commission. The Director is responsible for hiring and dismissing employees of the Division and directing the activities of the Division. The Director may not hire or dismiss an employee without the approval of the Legislative Services Officer.

(c) Definitions. – The following definitions apply in this Article:

- (1) Committee. – The Joint Legislative Program Evaluation Oversight Committee.
- (2) Director. – The Director of the Program Evaluation Division.
- (3) Division. – The Program Evaluation Division.
- (4) Non-State entity. – Defined in G.S. 143C-1-1(d)(18) and receives or expends any State funds.
- (5) State agency. – Defined in G.S. 143C-1-1(d)(24).
- (6) State funds. – Defined in G.S. 143C-1-1(d)(25). (2007-78, s. 3; 2018-101, s. 1.)

§ 120-36.12. Functions of Program Evaluation Division.

The Division has the following functions:

- (1) To evaluate the merits of a program or an activity of a State agency, or a program or an activity of a non-State entity conducted or provided using State funds.
- (2) To develop quantitative indicators to be used in an evaluation of a program or an activity of a State agency, or a program or an activity of a non-State entity conducted or provided using State funds.
- (3) To determine, in consultation with the Fiscal Research Division, the cost of programs or activities of a State agency, or programs or activities of a non-State entity conducted or provided using State funds.
- (4) Repealed by Session Laws 2018-101, s. 1, effective June 26, 2018.
- (5) To make unannounced visits to a State agency or non-State entity when needed to evaluate a program or an activity of the State agency or non-State entity.
- (6) To submit an evaluation report to the Committee, as provided in G.S. 120-36.14.
- (7) To determine the extent to which a State agency or non-State entity has implemented any of the recommendations of the Committee concerning the State agency or non-State entity.
- (8) Repealed by Session Laws 2018-101, s. 1, effective June 26, 2018.

- (9) To make periodic reports of the activities and recommendations of the Division and Committee and of any savings achieved by the implementation of Division or Committee recommendations.
- (10) To receive reports alleging improper activities or matters of public concern listed in G.S. 126-84. The individual making the report may, at the individual's discretion, remain anonymous. Any report received under this subdivision, in whatever form, is confidential, shall not be a "public record" as defined by G.S. 132-1, and becomes available to the public only as provided in G.S. 120-131.
- (11) To administer measurability assessments pursuant to Chapter 143E of the General Statutes. (2007-78, s. 3; 2008-196, s. 2(a); 2018-101, s. 1.)

§ 120-36.13. Biennial work plan for evaluations and measurability assessments.

(a) Plan. – Every odd-numbered year, the Committee, in consultation with the Director, shall adopt a biennial work plan for the Division. The Committee shall consider which programs or activities of a State agency, or programs and activities of a non-State entity conducted or provided using State funds, should be evaluated by the Division and included in the biennial work plan. The Committee shall also consider which proposed or existing State programs should be subject to measurability assessments and included in the biennial work plan. The Committee shall then review and adopt the biennial work plan. The Committee may amend the biennial work plan to add a new evaluation or measurability assessment or remove a planned evaluation or measurability assessment at any time during the biennium. The Division shall adhere to the biennial work plan, unless the Committee changes the biennial work plan to add a new evaluation or measurability assessment or remove a planned evaluation or measurability assessment.

The biennial work plan constitutes an information request and a drafting request made by the Committee cochaIRS to legislative employees under Article 17 of Chapter 120 of the General Statutes. Any document prepared by a legislative employee pursuant to the biennial work plan becomes available to the public only as provided in G.S. 120-131. Any document prepared by an agency employee pursuant to a request under G.S. 120-131.1(a1) becomes available to the public only as provided in G.S. 120-131.

(b) Request. – A request to the Program Evaluation Division for an evaluation of a program or an activity of a State agency must be submitted by a member of the General Assembly. The Director shall assist the Committee cochaIRS in developing a proposed biennial work plan based on suggestions for evaluations and measurability assessments submitted by members of the General Assembly to the cochaIRS. (2007-78, s. 3; 2008-196, s. 1(a); 2012-80, s. 2; 2015-264, s. 68.5(a); 2018-101, s. 1.)

§ 120-36.14. Contents of an evaluation report by the Program Evaluation Division.

(a) The Division shall complete an evaluation report for each evaluation required in the biennial work plan. The Division shall submit the report to the Committee for review and consideration. The Director shall notify the Committee cochaIRS when an evaluation report is ready to become available to the public as provided in G.S. 120-131.

(b) An evaluation report prepared by the Division shall, unless otherwise specified by the Committee, include the following:

- (1) The findings of the Division concerning the merits of the program or activity based on whether the program or activity:
 - a. Is conducted efficiently by the State agency or non-State entity.
 - b. Is effective, meeting objectives, and achieving intended results.
 - c. Aligns with the State agency or non-State entity's mission.
 - d. Operates in accordance with law.
 - e. Does not duplicate another program or activity within the State agency, within another State agency, or within another non-State entity.
- (1a) The quantitative indicators, including how the indicators were measured and rated, used to determine whether the program or activity:
 - a. Is conducted efficiently by the State agency or non-State entity.
 - b. Is effective, meeting objectives, and achieving intended results.
- (1b) The cost of the program or activity broken out by activities performed and services provided.
- (2) Specific recommendations for making the program or activity more efficient or effective.
- (2a) Specific recommendations for consolidation or elimination of duplicative programs or activities if duplication occurs within the State agency, within another State agency, or within another non-State entity.
- (3) Repealed by Session Laws 2018-101, s. 1, effective June 26, 2018.
- (4) An estimate of the costs or savings expected from implementing the Division's recommendations concerning the program or activity.

(c) Upon request of the Division or Committee, a State agency or non-State entity shall submit a written response to a recommendation of the Division or Committee and a written explanation of the extent to which the State agency or non-State entity has implemented any of the recommendations of the Committee. (2007-78, s. 3; 2015-264, s. 68.5(b); 2018-101, s. 1.)

§ 120-36.15. Joint Legislative Program Evaluation Oversight Committee established.

(a) Membership. – The Joint Legislative Program Evaluation Oversight Committee is established. The Committee consists of 18 members as follows:

- (1) Nine members of the Senate appointed by the President Pro Tempore of the Senate. At least two of the members shall be a Cochair of the Senate Appropriations Committee or a subcommittee of the Senate Appropriations Committee. At least three of the members shall be members of the minority party.
- (2) Nine members of the House of Representatives appointed by the Speaker of the House of Representatives. At least two of the members shall be a Cochair of the House Appropriations Committee or a subcommittee of the House Appropriations Committee. At least three of the members shall be members of the minority party.

(b) Terms. – Terms on the Committee are for two years and begin on January 15 of each odd-numbered year. Legislative members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly. Resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee. A member continues to serve until a successor is appointed.

(c) Chairs and Quorum. – The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Committee. The Committee meets upon the call of the cochairs. A quorum of the Committee is nine members. The Committee may not act except by a majority vote at a meeting at which a quorum is present.

(d) Standard Procedure. – In performing its duties, the Committee has the powers of a committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. Funding for the Committee is provided by the Legislative Services Commission from appropriations made to the General Assembly. Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. Upon approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional and clerical staff to assist the Committee in its work. (2007-78, s. 3; 2018-101, s. 1.)

§ 120-36.16. Powers and duties of Joint Legislative Program Evaluation Oversight Committee.

The Committee has the following powers and duties:

- (1) Repealed by Session Laws 2018-101, s. 1, effective June 26, 2018.
- (2) To establish and adopt a biennial work plan for the Division that describes the evaluations to be performed by the Division and the measurability assessments to be administered by the Division pursuant to Chapter 143E of the General Statutes. The Committee shall consult with the Director in performing this duty.
- (2a) To receive status updates on the activities of the Division.
- (3) To review evaluation reports submitted by the Division and measurability assessments administered by the Division.
- (3a) To determine if any legislation or other action of the General Assembly is needed to implement the Division's recommendations.
- (4) To consult as necessary with an oversight committee or another committee established in this Chapter about an evaluation report concerning a program or an activity of a State agency, or a program or an activity of a non-State entity, that is within that committee's scope of study.
- (5) To recommend to the General Assembly any changes needed to implement a recommendation that is included in an evaluation report of the Division or any changes needed to implement a recommendation of the Committee. (2007-78, s. 3; 2007-484, s. 31; 2015-264, s. 68.5(c); 2018-101, s. 1.)

§ 120-36.17: Repealed by Session Laws 2018-101, s. 1, effective June 26, 2018.