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# EVALUATOR 101: GATHERING AND COMPILING EVIDENCE

THURSDAY, APRIL 15, 2021

11:30 ET/10:30 CT/9:30 MT/8:30 PT



## TODAY'S MODERATOR

- Jennifer Sebren, Mississippi Joint Legislative Performance Evaluation and Expenditure Review Committee



# TODAY'S WEBINAR IS BEING RECORDED

- The recording of today's webinar will be available within the week.
- All archived Evaluator 101 webinars will be available in the "Management" section of the NLPES Professional Development webpage.



## CHAT BOX AND RESOURCES?

- Questions will be taken once the presentation has concluded, but feel free to enter them into the chat box at any time.
- The chat box is located in the lower left corner of the screen.
- Also, check out the tabs for resources and speaker bios located above the presentation.



# TODAY'S SPEAKERS

- Jon Courtney from the New Mexico Legislative Finance Committee
- Gary VanLandingham with Florida State University





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# Gathering and Compiling Evidence

**Look at all this stuff we've  
collected; it's got to mean  
something, right?**

**Gary VanLandingham**



# Don't you hate it

**When you've cross-cited a report to workpapers & used only 10% of what you collected?**

**Or must restart fieldwork when writing because you don't have what you need?**





# Why does this happen?

- **There is a difference between collecting data and gathering knowledge**
- **Teams often focus on implementing workplan without considering the value added by these tasks**
  - **Resulting in wasted work and need to frantically fill data holes when writing**





# Project cycle contributes to problem

- **Typical cycle:**
  - Preliminary research
  - **Project planning**
  - Fieldwork
  - Report writing
  - Doc-citing & review



# What is a workplan?

- **Your best idea of what is needed to carry out the project before you know much about the topic**
- **It ISN'T a document to be enshrined in a temple; typically, much becomes irrelevant during the project (if you are paying attention)**



# Typical challenges

- **Great ideas don't pan out**
  - The world is more complex than assumed
  - Assumed data sources are flawed or non-existent
  - Field reality is different than statewide perspective
- **These problems are often quickly apparent, when you've done around 10% of the task**



# Must use Boolean approach

- **Continually revise workplan based on what we've learned**
- **Key issues:**
  - **What do we know so far?**
  - **Given that, what do we need to do?**
- **Eliminating unnecessary tasks and adding new ones**



## Example – weatherization project

- **Initial concept – assess program’s energy efficiency impact on homes**
  - Using estimated efficiency ROI of common tasks such as attic insulation
- **Reality – in rural areas program was doing housing rehab, not insulation**
  - Good luck with ROI on that



# Weatherization project

- ***Abandoned ROI analysis, focused report on options for leveraging weatherization with other funding sources to meet diverse community needs***



## Example – student loan project

- **Initial concept – assess process for issuing state-guaranteed student loans**
  - Comparing to private sector processes
- **Reality – quickly apparent that loan approval process was strong**
  - *But no processes were in place for serving loans that go into default*



# Student loan project

- **Agency justified inaction by citing program's low default rate**
  - **But most loans were just entering repayment; the ones reaching that point had 20% default rate; tsunami was coming!**
- ***This became focus of report, resulting in Legislature killing the agency***





# You are always writing the report

- **Report writing must not start when fieldwork ends**
  - **If so, you will have critical data gaps, particularly in causes and how to fix problems**
  - **Leading to “there is a problem; someone should study it & identify solutions” reports**



# You are always writing

- **Regularly ask “if we had to write the report today, what would we say?”**
  - **Best done by outlining findings**
  - **Very useful in ensuring that you are assessing causes as well as condition**
  - **And preparing you for writing phase**



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# Structuring and Compiling Evidence: A Case Study

Jon Courtney, Deputy Director  
NM Legislative Finance Committee

*NLPES Evaluator 101*  
*April 2021*

# Overview

- ▶ Case study of a highly impactful finding/ recommendation...
- ▶ Process of developing findings and recommendations
- ▶ Principles of evidence

# Case study in structuring and compiling evidence...

- ▶ Video 1 example  
(For your information or use later, here is the [link to video1](#))

# Some history on the project

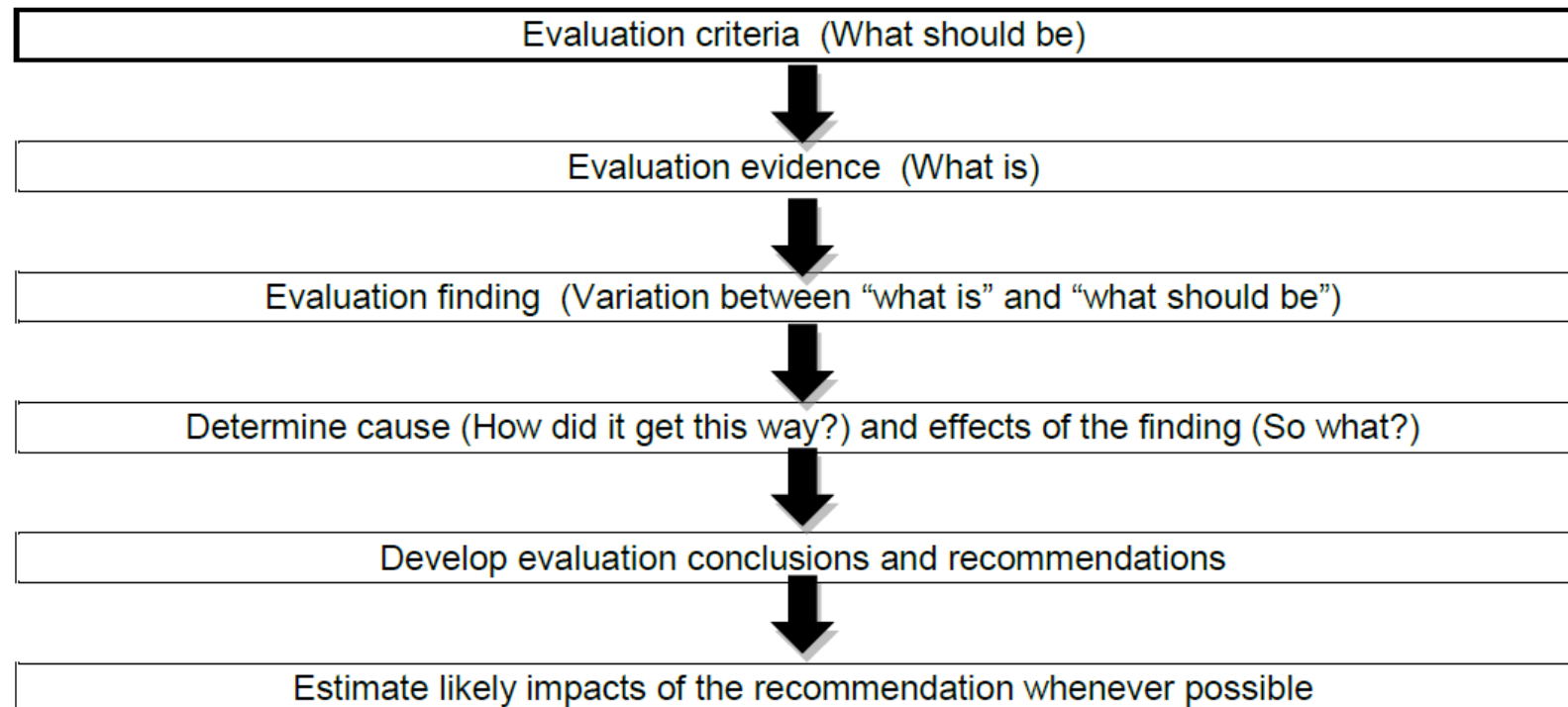
- ▶ Evaluation on impact of childcare
- ▶ The original scope of the report did not include program integrity
- ▶ During fieldwork a number of interviews revealed concerns with child safety
- ▶ Supporting evidence, including site incident reports raised additional concerns around fraud and safety
- ▶ We subsequently expanded the scope of the evaluation



# Developing a solid recommm

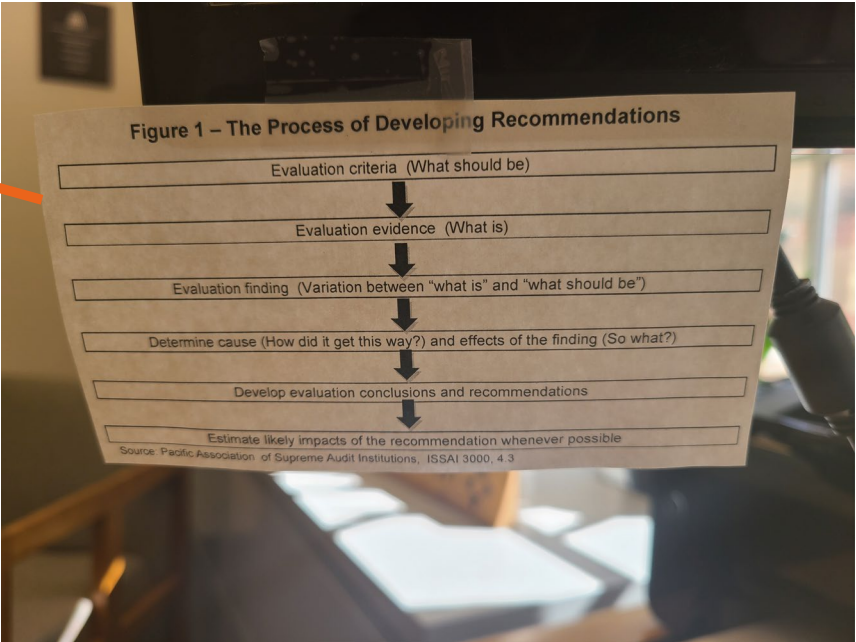


**Figure 1 – The Process of Developing Recommendations**



Source: Pacific Association of Supreme Audit Institutions, ISSAI 3000, 4.3

# Framework for findings!





# What sorts of things raised those concerns?

- ▶ **What should be** (criteria)=Standards, measures and expectations against which performance is judged.
  - According to law and best practice, agencies should be conducting background checks and database crosschecks.
    - Statute
    - Administrative code
    - Best practices
    - Benchmarks (historical, national standards, other states)
    - Can also find good ideas from other eval offices

Quickly found evidence of background checks not being performed

8.16.2.11 A., 8.16.2.19, 8.16.2.22 F. and 8.16.2.24 A. Personnel Records

Deficiencies

From the review of staff records, it was determined that 2 out of 9 staff records does/do not include a background check. See Staff Records 8.16.2.21 form for staff with this missing information.

Regulation : 8.16.2.22F(1)(e)

Corrective Action Plan

The center will obtain documentation of a background check.

Date to be Completed: 10/08/2012

Non-compliance

# Best practices and other states

- ▶ Child Care America: background checks should include a check of the sex offender registry
- ▶ Some of your greatest resources are sitting right next to you (LA)



December 17, 2009

Senator Kathleen Vinehout and  
Representative Peter Barca, Co-chairpersons  
Joint Legislative Audit Committee  
State Capitol  
Madison, Wisconsin 53702

Dear Senator Vinehout and Representative Barca:

We have completed the final phase of our evaluation of the effectiveness of child care regulation, including an audit of Wisconsin Shares, as requested by the Joint Legislative Audit Committee. More than 11,000 child care facilities were either licensed by the Department of Children and Families (I or certified by county and tribal agencies during all or part of fiscal year (FY) 2008-09. In June 2009, 60.2 percent of the regulated facilities received \$25.6 million in Wisconsin Shares subsidy payment to care for the children of low-income working families and participants in W-2, the State's wellnet work program.

In FY 2008-09, DCF spent \$13.6 million for the regulation and oversight of licensed and certified child care facilities and the administration of Wisconsin Shares. County and tribal agencies spent \$15.4 million to regulate certified facilities. State, county, and tribal regulatory staff inspect licensed and certified facilities and evaluate their compliance with child care rules, which are designed primarily to address health and safety concerns. However, as of June 30, 2009, 617 licensed facilities were overdue for a regulatory visit by DCF. In contrast, county and tribal regulatory agencies generally met the timeliness standards DCF has established for them.

All regulatory staff are required to issue written citations when they identify violations of child care rules, and they may address serious or persistent violations with progressively severe sanctions that include suspension or revocation. However, because regulatory staff cannot rate the severity of violations they cite, DCF cannot effectively use information maintained in statewide licensing and certification databases to target higher-risk facilities for increased regulatory attention.

We continued our efforts to identify operators of child care facilities, members of their households, and employees convicted of certain crimes. We found eight instances in which convicted felons or individuals who had abused or neglected children were employed by or reported living in child care facilities. We also identified 317 individuals whose past criminal offenses require further investigation.

Throughout 2009, the Legislature and DCF have taken numerous steps to restore public confidence in Wisconsin Shares and to aggressively address fraud and abuse. Our report recommends continued monitoring of DCF's progress in implementing these changes.

We appreciate the courtesy and cooperation extended to us by DCF, the Department of Justice, and the county agencies we contacted during our evaluation.

Respectfully submitted,

*Janice Mueller*

Janice Mueller  
State Auditor

JM/KW/ss

We continued our efforts to identify operators of child care facilities, members of their households, and employees convicted of certain crimes. We found eight instances in which convicted felons or individuals who had abused or neglected children were employed by or reported living in child care facilities. We also identified 317 individuals whose past criminal offenses require further investigation.

Resource: NLPES listserv and NLPES Audit Report Library–

<https://www.ncsl.org/legislators-staff/legislative-staff/program-evaluation/nlpes-audit-report-library.aspx>

# Moving along...

- ▶ What should be (criteria)=Standards, measures and expectations against which performance is judged.
  - According to law and best practice, agencies should be conducting background checks and database crosschecks.
- ▶ **What is (condition)**–identifies the problem, issue or concern.
  - State agencies are not cross–checking key databases to ensure compliance with the law and child safety.
  - **Finding (variation between what is and what should be):** NM is not cross–checking key databases to ensure compliance with the law and child safety.
    - Interviews with key staff indicated they believed that cross–checks were being done with multiple databases.
    - Documents from CCA indicated NM was one of a few states not conducting cross–checks.
    - A review of the IT system confirmed that key cross–checks were not occurring.

# In terms of the process...

- ▶ What should be (Criteria)=Standards, measures and expectations against which performance is judged.
  - According to law and best practice, agencies should be conducting background checks and database crosschecks.
- ▶ What is (condition)–identifies the problem, issue or concern.
  - State agencies are not cross-checking key databases to ensure compliance with the law and child safety.
- ▶ **How did it get this way? (Cause)**=The factors that contribute to the condition.
  - Absence of policy on cross-checks and an assumption they were happening.
    - Determining cause is essential for a good recommendation.
    - Also found a lack of institutional knowledge regarding IT system operations.
    - IT system not designed to do cross check but staff believed it was.

# In terms of the process...

- ▶ What should be (Criteria)=Standards, measures and expectations against which performance is judged.
  - According to law and best practice, agencies should be conducting background checks and database crosschecks.
- ▶ What is (Condition)=A condition statement identifies the problem, issue or concern.
  - State agencies are not cross-checking key databases to ensure compliance with the law and child safety.
- ▶ How did it get this way? (Cause)=The factors that contribute to the condition. Determining cause is essential for a good recommendation.
  - Absence of policy on cross-checks and an assumption they were happening.
- ▶ **So what? (Effect)**=Consequences resulting when the condition varies from the criteria.
  - Three sex offenders were found to be living in child care facilities.
    - Staff conducted a cross check of child care addresses and sex offender addresses.
    - Results were sent to the agency the same day who took immediate action.
    - Agency investigators confirmed the offenders lived on the premises and pulled the licenses of the three providers.

# In terms of the process...

- ▶ **Criteria=Standards, measures and expectations against which performance is judged.**
  - According to law and best practice, registered sex offenders should not live in child care facilities.
- ▶ **Condition=A condition statement identifies the problem, issue or concern.**
  - State agencies are not cross-checking key databases to ensure compliance with the law and child safety.
- ▶ **How did it get this way? (Cause)=The factors that contribute to the condition. Determining cause is essential for a good recommendation.**
  - Agency staff assumed the cross check was being done when in fact the IT system was not set up to do the check.
- ▶ **So what? (Effect)=Consequences resulting when the condition varies from the criteria.**
  - Three sex offenders were found to be living in child care facilities.
- ▶ **Recommendation (and impact where possible)=Generate recommendations through assessing the significance of findings and determining their cause and impacts.**
  - Agency should start performing cross-checks on a regular basis and investigate matches to ensure child safety.
  - Legislature should consider legislation restricting residence of offenders guilty of crimes against minors.

# Principles of Evidence



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## ▶ Principles

- Balance: Investigate both sides of competing claims
- Convergence of Evidence: Use of different methods (qualitative and quantitative)
- Hierarchy of Evidence: Directly obtained evidence is preferable to indirect evidence

# Balance

- ▶ Competing claims:
  - CYFD staff indicated background checks were being done and that sex offender databases were cross referenced.
  - Documents from Child Care America (CCA) indicated that New Mexico was one of a handful of states that did not cross check sex offender databases.



# Convergence

- ▶ CCA report was recent but did not reflect activity over the last several months
- ▶ Additional structured interviews with IT staff determined no major changes were made to background checks
- ▶ Interviews revealed a lack of knowledge of process
- ▶ IT review and our own cross check confirmed the suspected finding

# Hierarchy of Evidence

- ▶ Go to the source!
- ▶ Obtained listing of child care providers from CYFD and the sex offender registry from DPS and did a cross check of our own

# Background check issue

- ▶ Did we go far enough?
- ▶ Video 2 example  
(for your information or use later, here is the [link to video 2](#))

# Thank you

Jon Courtney

[jon.Courtney@nmlegis.gov](mailto:jon.Courtney@nmlegis.gov)

# QUESTIONS AND ANSWERS

- Questions will be taken now.
- Enter your questions in the chat box.
- The chat box is located in the lower left corner of the screen.



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# Questions?

Contact Brenda Erickson  
[brenda.erickson@ncsl.org](mailto:brenda.erickson@ncsl.org)

