



# THE WORKING PAPER

National Legislative Program Evaluation Society Newsletter

Summer Issue

August 2024

## Chair's Corner

Darin R. (DRU) Underwood, Utah

NLPES Friends,

I wanted to thank you again for the honor of serving you as your Executive Committee (EC) chair this year. In a few short months that will come to an end, but my deep love for [NLPES](#), the EC, and all of you in our fine profession will remain. Speaking of Deep: I hope that at least some of you have tried the transformative experience of seeing someone else more deeply than before—like I spoke about 6 months ago. I can think of nothing more important than tending our personal relationships. That said, it is on to another issue recently on my mind: Change.



You may have noticed that when you do an internet Google search there is now an “AI Overview” that is frequently the first item returned to the list. Such was the case when I googled “who said the most constant thing is change.” AI says that the Greek philosopher Heraclitus is credited with saying, “**The only constant in life is change.**” Indeed, if we cannot embrace the constancy of change, we will likely struggle in many, if not all, areas of our lives.

Speaking of the internet, it wasn't even a thing for me 30 years ago when I started with [Utah's Office of the Legislative Auditor General](#). I recall it was about a year later (1995) when a computer program (aka “app”) was loaded on my machine to access this place called the “world wide web” through something called the [Netscape browser](#). Anyone else remember that? Well, fast forward 30+ years and the internet is part of almost every moment of almost everyone's lives.

So, let's get to heart of my message: For years NLPES used the email Listserv as our main source of communication. But, the constancy of change necessarily moved us from the outdated Listserv to a new communications platform called [Breezio](#). The Listserv was a Struggle-Bus for years, and the change was well-overdue and very welcomed. However, here's the irony: On the whole, it is unclear whether most NLPES members have embraced [Breezio](#) and may be somewhat absent from its usage.

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## Previewing the 2024 PDS: Spice Up Your Skills in the Big Easy!

Karen Leblanc, Louisiana

The [Performance Audit Services Division](#) of the Louisiana Legislative Auditor's Office is excited to once again host this year's NLPES Professional Development Seminar (PDS) in New Orleans from October 8th through 10th. Louisiana last hosted the PDS in 2018, and the event will again be held in the Hotel Monteleone - a historic hotel in the French Quarter - that was built in 1886 in the Beaux-Arts architectural style with an eclectic flair. The hotel is well known for its Carousel Piano Bar and Lounge with a rotating bar.

New Orleans, with its soulful music, delectable cuisine, and distinctive charm, is not just a city; it's an experience that captivates the heart and spirit. The theme of this year's PDS will be “Spice Up Your Skills in the Big Easy” and we hope the panels will help both junior and senior evaluators learn new skills, connect with colleagues, and exchange ideas. Stay tuned for more information soon about the detailed PDS agenda.



Things to know before you come:

- Louisiana is **HOT** and **HUMID** so bring comfortable clothes. You may also want to bring a sweater or jacket as the air conditioner indoors is usually on full blast because of the heat.
- The [French Quarter](#) is very walkable but I encourage you to also visit the [Warehouse District](#) which is nearby and the [Garden District Uptown](#), which is a short taxi or Uber ride away. You can also take the [streetcar](#) and see the beautiful houses on St. Charles Avenue.
- NOLA is known for its exquisite and adventurous [food scene](#) so it is probably best to make reservations ahead of time. NOLA also has a vibrant music scene - there is always a jazz band playing at the numerous venues on [Frenchmen Street](#).
- Other [attractions](#) include the National World War II Museum, numerous ghost/voodoo tours, food and cocktail tours, and even swamp tours.

We look forward to hosting and welcoming you to our state. Feel free to reach out with questions or suggestions on what to do during your visit.



The PDS registration link on the NCSL website [here](#) also includes hotel and travel information. Registration for state legislative staff is \$450. Seminar programming covers a wide range of topics, including data visualization, artificial intelligence, communication skills, and more. In addition to breakout panels and plenary sessions, the event is a great opportunity to network and share ideas with peers from other states.

*[Karen Leblanc](#) is the Director for Performance Audit Services at the Louisiana Legislative Auditor.*

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## NLPES Announces 2024 Award Winners

Jeanine Brown, Georgia

On behalf of the NLPES Awards Subcommittee, I would like to thank the 24 offices that applied for an award this year. This represents only a fraction of the impressive work produced by our member offices across the country. The judges for each award category found it challenging to select the winners. Congratulations to our winners!

Also, we extend our appreciation to our NLPES members who served as judges this year. Thank you for your dedicated service!

### Outstanding Achievement Award

The Outstanding Achievement Award is presented to one individual who has made outstanding contributions to the fields of legislative program evaluation or performance auditing, both at the national and state levels. Keenan Konopaski, who led the [Washington Joint Legislative Audit & Review Committee \(JLARC\)](#) as legislative state auditor from 2011 to 2023, received the 2024 Outstanding Achievement Award. Keenan dedicated 32 years to public service and was an innovator in the legislative performance auditing field. Congratulations, Keenan!

### Excellence in Evaluation Award

The Excellence in Evaluation Award is presented to the legislative office determined to have made significant contributions to the fields of program evaluation or performance auditing during the most recent four-year period.

This year, the [Wisconsin Legislative Audit Bureau](#) won the Excellence in Evaluation Award. Congratulations to the leadership and staff of Wisconsin's LAB!

### Excellence in Research Methods Award

The NLPES Excellence in Research Methods Award is presented to a legislative office or offices that used exemplary



research methods in an evaluation or audit report released during the most recent calendar year.

There were three winners of this year's Excellence in Research Methods Award:

- [Alabama Commission on the Evaluation of Services \(ACES\)](#) for [A Follow-Up Evaluation of the Teacher Workforce](#).
- [Kansas Legislative Division of Post Audit](#) for its report [Estimating the Cost of K-12 Education](#).
- [Washington JLARC](#) for its report covering [2023 Interstate Tax Preference Performance Reviews: Interstate Transportation Tax Preferences](#).

Congratulations to each of these offices!

### Certificates of Impact

NLPES Certificates of Impact are presented to legislative offices that issued evaluations or audit reports during the prior three calendar years that resulted in documented public policy changes, program improvements, dollar savings, or other public impacts.

A total of 23 member offices were awarded a 2024 Certificate of Impact. Congratulations to each office that received a Certificate of Impact!

The full list of recipients is [posted on the NLPES website](#).

*[Jeanine Brown](#) is a Senior Management Analyst at the Georgia Department of Audits and Accounts, Performance Audit Division and serves as the Chair of the Awards Subcommittee of the NLPES Executive Committee.*

## Professional Development Sessions Keep Flowing

Jason Juffras, District of Columbia

NLPES has maintained a steady clip of professional development webinars this year, covering hard and soft skills while spanning quantitative and qualitative methods. If you missed any of the webinars listed below, they can be viewed on our Breezio platform, or will be posted there soon.



To access Breezio, sign in to your NCSL account and go to [groups.ncsl.org](https://groups.ncsl.org). Click on the "Video" tab to find our webinars. This year's lineup was as follows:

- **Dealing with Difficult Stakeholders**, February 28, 2024. Presenter: Curt Stedron, National Conference of State Legislatures.
- **Covert Testing and Secret Shopper Techniques**, May 1, 2024. Presenters: Angel Zollicoffer, U.S. Government Accountability Office, and Sarah Dinces, New Mexico Legislative Finance Committee.
- **Breezio Platform Walkthrough and Q&A**, May 14, 2024. Presenter: Megan McClure, National Conference of State Legislatures.
- **Using the American Community Survey in Program Evaluation**, May 22, 2024. Presenter: Courtney Stevenson, Louisiana Legislative Auditor's Office.

- **Intro to NVivo: A Tool for Qualitative Data Analysis**, June 12, 2024. Presenters: Daniel Doerr, Connecticut Office of the State Auditors of Public Accounts, and David Melendez, Tennessee Office of Research and Education Accountability.
- **Intro to IT Auditing and Evaluation**, July 30, 2024. Presenters: Katrin Osterhaus, Kansas Legislative Division of Post Audit, and Jamie Bitz, Virginia Joint Legislative Audit and Review Commission.
- **The Power and Paradox of Causal Inference**, August 13, 2024. Presenters: Edward Seyler, Louisiana Legislative Auditor's Office; Joshua Karas, Washington State Joint Legislative Audit and Review Committee; and Ryan Tolman, New Mexico Legislative Finance Committee.

NLPES has also hosted bi-annual informational calls for office directors, methodologists, IT evaluators, and training coordinators. But you don't have to wait six months to connect with peers from other states: we have created Breezio forums for each subgroup so you can pose questions and exchange information continuously. If you'd like to be added to a Breezio subgroup, please contact our NCSL liaison, [Megan McClure](#).

*[Jason Juffras](#) is a senior analyst for the Office of the District of Columbia Auditor and chairs the NLPES Professional Development Subcommittee.*

## ADA Compliance and Performance Review: The West Virginia Legislative Auditor's Approach

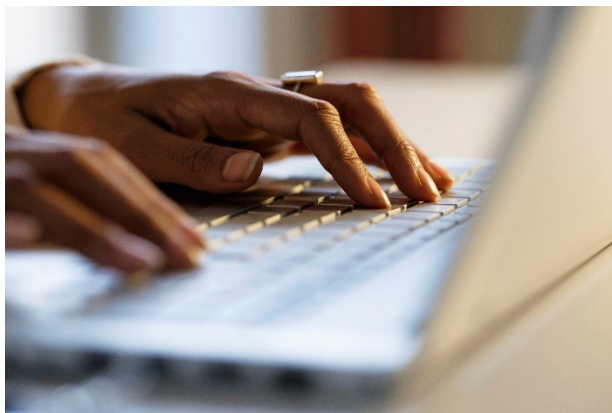
Keith Brown, West Virginia

Providing individuals with disabilities adequate access to government services, activities, and programs is an important, yet often overlooked, aspect of performance review. The [Americans with Disabilities Act](#) (ADA) requires government, non-profit organizations, and businesses to provide equal access on the same basis with the rest of the public. Equal access includes both physical access to an agency's facility as well as access to programs, services, and activities in the most integrated way, appropriate to the needs of individuals with disabilities. Since 2021, the [West Virginia Legislative Auditor's Performance Evaluation and Research Division](#) (PERD) has included accessibility reviews as part of its regulatory board reviews and, in many cases, agency reviews. The purpose of these reviews is to determine if the agency's main and/or field offices contain significant barriers that prevent individuals with disabilities from accessing services.

For criteria, PERD utilizes the New England ADA Center's "[ADA Checklist for Existing Facilities](#)." The checklist is a user-friendly tool that allows the assessor to evaluate a facility based upon the U.S. Department of Justice's [2010 ADA Standards for Accessible Design](#). The checklist covers four priority areas: (1) the approach and entrance to a facility; (2) access to goods and services; (3) access to public toilet rooms; and (4) access to other items such as water fountains and public telephones. Each priority is set up as a table and includes specific requirements, a check box for answering if the requirement has been satisfied, space for entering comments, and solutions if the requirement is not being met. It also contains detailed instructions on how to use the checklist, the tools needed, and tips for conducting the survey. The checklist is not exhaustive but is a useful tool for most types of facilities.



If your office is thinking about reviewing an agency's compliance with ADA, there are a few things to consider. First, the 2010 requirements are only applicable to facilities constructed or altered after March 15, 2012, or for areas not covered in the previous standards from 1991. For instance, no standard existed for recreational facilities such as swimming pools and shooting facilities in the 1991 standard, so the 2010 standards are applicable regardless of when the facility was constructed. Second, historic properties are exempt from meeting the standard if the alterations would have a significant impact on the preservation of the structure; however, the agency must then find alternative methods to achieve program accessibility. Examples include using audio-visual materials and devices to depict areas that cannot otherwise be made accessible or assigning guides to assist individuals with disabilities. Last, because a facility may be inaccessible, the program or agency may be compliant with ADA if it offers reasonable modifications to its programs and services. Reasonable modifications include things such as: redesign or acquisition of equipment, home visits, or delivery of services at alternative, accessible sites.



The "ADA Checklist for Existing Facilities" works well for assessing most government-owned buildings; however, situations may arise where additional standards are needed. For instance, PERD is currently conducting an ADA review of the [West Virginia State Museum](#). The Existing Facilities checklist was useful for reviewing the walkways and bathrooms; however, it does not cover elements related to the design of the museum exhibits. So, the audit team utilized the [Smithsonian Institute's Guidelines for Accessible Design](#). The guidelines establish the institution's accessibility policies for the design of all exhibits created for the museums within the Smithsonian system. Exhibit elements include lighting; label design and text; color; audiovisuals and interactives, as well as others. These additional standards enabled the team to review the layout and design of the museum exhibits to identify issues that affect people with physical, sight,

hearing, sensory, and intellectual disabilities.

Finally, ADA compliance has become a significant issue in the courts and evaluating ADA compliance can help protect state government from potential lawsuits. According to [the United States Courts' website](#), from 2005 through 2017, filings of ADA claims, excluding employment discrimination claims, rose 521 percent from 1,334 to 8,729 claims. These cases include claims of limited accessibility at businesses such as restaurants, movie theaters, schools, and office buildings. By including ADA reviews as part of the evaluation program, your office can improve citizens' access to government services and can help agencies identify and address potential issues before they become embroiled in litigation.

*[Keith Brown](#) is a Senior Research Analyst with the West Virginia Legislative Auditor's Performance Evaluation and Research Division.*

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## Peer Exchange Program: Perspective from Washington and Utah

Brent Packer, Utah and Ryan McCord, Washington

Contact [Megan McClure](#) at NCSL if your office is interested in participating!

The [Utah Office of the Legislative Auditor General](#) (OLAG) and [Washington's Joint Legislative Audit and Review Committee](#) (JLARC) were selected for NLPES's first Peer Exchange Program. In late 2023, OLAG sent two employees to the lush Pacific Northwest to study JLARC's processes and practices. Six months later, two JLARC staff visited OLAG at the base of the majestic [Wasatch mountains](#). Staff from both our offices came away with new ideas and new connections.

The peer exchange program is intended to foster the exchange of ideas and practices between offices. Whereas [a peer review](#) is meant to ensure an office is following auditing standards, the peer exchange is a more casual format. It's an opportunity for staff to talk about a broad range of topics. OLAG and JLARC staff discussed items as varied as office culture, professional development, relationship-building with legislators, and report production.

Both offices came away with some concrete ideas for immediate implementation, as well as some food for thought on longer-term changes.

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## Chair's Corner (cont.)



Despite our best efforts to announce the change, we are still getting feedback that members are unaware of crucial announcements such as applying for the NLPES awards, online training, the fall PDS, and so forth. My response would be to embrace *Breezio* and help us make it the best communications platform possible! For some, this may mean a reminder to login to NCSL Groups and just check *Breezio* once a day or so. My guess is that most of us do

the same with our *LinkedIn*, *Facebook*, and the like.

In 1995, I had no idea how *Netscape* and this new internet thingy was going to help me as an auditor, but now I don't know how I could be nearly as productive without it. My hope is that you'll come to embrace the connection and information sharing on *Breezio* with me and other NLPES members! If you are unsure where to begin or you clicked the link above and don't see the NLPES group, please reach out to NLPES liaison, [Megan McClure](#) and she is more than happy to help.

Thanks again everyone, for supporting NCSL, NLPES and our community of state legislative auditors and evaluators.

*Darin R. (DRU) Underwood* is Deputy Auditor General for Utah and the 2023-2024 NLPES Executive Committee Chair.

## Peer Exchange Program (cont.)

JLARC staff plan to implement changes to the timeline of the preliminary research/survey phase as well as supervisory responsibilities. OLAG plans to adapt large parts of JLARC's Project Management Handbook.

While pilfering processes and resources was undoubtedly beneficial to both our offices, perhaps the greatest benefit was the connections that we made. A standing check-in meeting between our offices now occurs quarterly, where challenges and successes are shared, and solutions are brainstormed together. In addition, both offices found, firsthand, aspects of one another's organizational culture that were mutually impressive and ripe for implementation.

OLAG and JLARC express their appreciation to NLPES for providing a stipend toward the cost of the exchange and facilitating the opportunity to learn from one another. As evaluators we know there is no substitute for seeing a process or practice in-person, as it occurs. We are grateful to NLPES for making that opportunity a reality. We hope our positive experience will motivate others in the NLPES family of offices to participate in their own peer exchanges and grow this program into another avenue to advance the legislative performance audit profession.

*Brent Packer* is a Performance Auditor at the Utah Office of the Legislative Auditor General and *Ryan McCord* is an Audit Director at the Washington Joint Legislative Audit and Review Committee.



OLAG is using portions of JLARC's Project Management Handbook as it updates its own Audit Handbook. The Peer Exchange Program offered through NLPES enabled OLAG to identify and study this resource in real time without the constraints of back-and-forth emails or virtual calls.

## Idaho's Rakesh Mohan Reflects on Career

Jason Juffras, District of Columbia

The director of Idaho's [Office of Performance Evaluations](#) (OPE), Rakesh Mohan, recently retired after leading his office for more than 20 years. He was kind enough to speak with *The Working Paper* about his career and the challenges he sees facing our profession.

Mohan took a circuitous and unexpected path to become a performance auditor. He came to the U.S. from India in 1976 to pursue a Ph.D. in chemistry at Michigan State. After realizing that "I was going nowhere, and I was broke," Mohan worked as a chemist for the state of Kansas, and started an MPA program part-time.

In 1988, Mohan joined the [Kansas Division of Legislative Post-Audit](#) even though he "did not know anything about program evaluation." A sense of humor and willingness to take risks helped Mohan advance in the profession.

When Mohan interviewed for a more senior position with the [Louisiana Legislative Auditor](#), he was asked, "What do you think makes a good performance evaluator?" Mohan replied, "Someone who failed to be a good chemist." He got the job.

Mohan also worked for [Washington's Joint Legislative Audit and Review Committee](#) before becoming director of Idaho's OPE in 2002. "I would have never dreamt of being a director," he recalled. "I would have thought you have to be well-connected."

Upon arriving in Boise, Mohan found that OPE had very good staff, "but it was not well-known. It didn't have the public visibility." Even worse, Mohan learned that many legislators and executive branch officials didn't think OPE did useful work.

Mohan shifted the office away from efficiency and compliance reviews to evaluate law and policy. Referring to a hypothetical state agency required to perform 20 inspections per year, he noted that a compliance audit might find the agency had fallen short of that mandate, but the mandate might be misguided or arbitrary. Maybe it would better serve the public if the office did 200 inspections a year - or none.

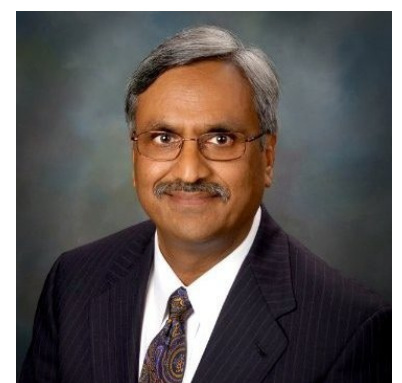
Mohan also emphasized direct and ongoing engagement with policymakers, stakeholders, lobbyists, media, and the public rather than an "arms-length" relationship that "leaves you on an island." He contends that if the audit or evaluation office stays aloof, "They just see you as a grumpy old auditor here to do nitpicking and finding fault."

Mohan made substantive as well as symbolic changes. At entrance conferences, where legislative audit and agency staff often sat in groups, on opposite sides of a table, Mohan required his staff to sit next to agency staff and "let them see what you're writing."

These efforts at relationship-building paid off in 2023 when the Idaho House approved a bill to abolish OPE's oversight committee and reduce the office's independence by placing it under the legislative leadership. After many members of the public testified against the bill and opinion writers decried it, the bill died in the Senate.

Cultivating a trusting relationship with the media was a key aspect of Mohan's work as OPE director. He describes the press as "the best ally we have in telling truth to power ... I saw press as the conduit to convey our report message to the public. The public can put pressure on policymakers, and things will happen."

Although Mohan is proud of OPE work on important subjects from substance abuse to child protection and school facility maintenance, he is most proud that he and his staff "were successful in establishing credibility for the office in the eyes of the legislature, executive branch, public, press, and lobbyists - knowing that people have placed their confidence and trust" in OPE. He adds that the OPE staff "has made me look very good."

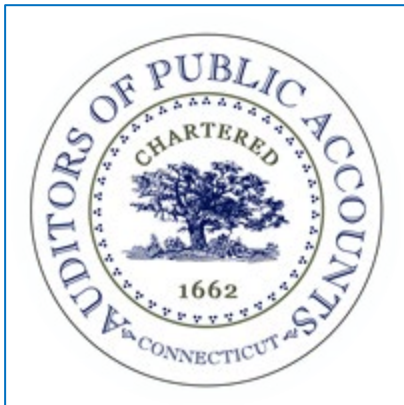


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## Did You Know? Connecticut Has Two State Auditors

Jason Juffras, District of Columbia

The [Connecticut General Assembly](#) is unique in employing two legislative auditors. Their formal title is “[Auditors of Public Accounts](#),” but they are known as the “State Auditors.”



This system has a rich lineage: Connecticut has had dual auditors since Colonial times. Today, the state auditors cannot be from the same political party, which in practice means that one is a Democrat and the other is a Republican. Both [state auditors](#) must approve all of the office’s reports and they make management decisions jointly.

Connecticut’s state auditors have other distinctive duties: they must audit every state agency (including quasi-public offices) every two years. The state auditors focus primarily on financial and compliance audits, but also oversee performance and information technology audits in addition to reviewing whistleblower complaints.

Both current state auditors, who are appointed by the General Assembly, previously served as state legislators. John Geragosian, a Democrat, served in the Connecticut House of Representatives

for 16 years, while Craig Miner, a Republican, served in the Connecticut House for eight years and in the Senate for six years.

State Auditor Geragosian sees benefits to Connecticut’s dual-auditor system, noting that, “What we say carries a lot of credibility because it is bipartisan.” Although some might expect partisan gridlock to undermine an audit shop with leaders from opposing political parties, Geragosian states that the legislature “expects us to get along,” and that legislative auditors from other states are “fascinated” by Connecticut’s bipartisan approach. “Our office is not politicized,” he adds.

State Auditors Geragosian and Miner have worked together in the past. When Geragosian chaired the House Appropriations Committee, Miner was the ranking Republican member and they collaborated to close a large state budget deficit after the “Great Recession” of 2007-2009.

The state auditors lead a staff of more than 120 professionals, many of whom are certified public accountants, certified information system auditors, certified internal auditors, and certified fraud examiners.

*[Jason Juffras](#) is a senior analyst for the Office of the District of Columbia Auditor and a member of the NLPES Executive Committee.*

## Rakesh Mohan Retires (cont.)

Mohan offers some important advice to junior evaluators - and some useful reminders to all of us. He urges junior evaluators to “have passion for and commitment to public service. If you don’t have it, go somewhere else ... Also keep in mind that you work for the public and not the politicians ... Don’t be timid in talking about your evaluation.”

Mohan notes that we have a privileged position as legislative evaluators. “We have a ringside seat of where the action is happening,” he states. “We have been given access and a platform to analyze the situation and help fix that. We should keep that in mind all the time.”

*[Jason Juffras](#) is a senior analyst for the Office of the District of Columbia Auditor and a member of the NLPES Executive Committee.*

## Staff Happenings

**Greg Hook** (Maryland) announced his retirement after 43 years of service with the state’s [Office of Legislative Audits](#).

**Lonnie Edgar** (Mississippi) was elected as staff vice chair for NCSL’s 63-member Executive Committee. Read more [here](#).

**Ryan Langrill** (Idaho) was named interim director at the state’s Office of Performance Evaluations after Rakesh Mohan’s retirement (see p. 4). Ryan is also an NLPES Executive Committee member.

Finally, a warm welcome to **Emily Dixon** (Louisiana) as a newly elected NLPES Executive Committee member, beginning in the 2024-25 term. Also, congratulations to **Drew Dickinson** (Virginia), **Jason Juffras** (DC), and **Jeanine Brown** (Georgia) as reelected members.



*The Working Paper* is published two times a year by the [National Legislative Program Evaluation Society](#), a professional staff association of the National Conference of State Legislatures. NLPES serves the professionals of state legislative agencies engaged in government program evaluation. The purposes of NLPES are to promote the art and science of legislative program evaluation; to enhance professionalism and training in legislative program evaluation; and to promote the exchange of ideas and information about legislative program evaluation.

*The Working Paper* is produced by the NLPES Internal Communications Subcommittee:

Darren McDivitt (Texas), chair  
Adam Fridley (West Virginia), member  
Mike Powell (Maryland), member  
Darin Underwood (Utah), member

Please contact [Darren McDivitt](#) with any article suggestions, comments, or questions.