

Minutes of the Joint Legislative Oversight Committee
January 15, 2004
East Conference Room, J.R. Williams Office Building
Boise, Idaho

Co-chair Senator Shawn Keough called the meeting to order at 2:40 p.m. Committee members Senators Bert Marley and Marti Calabretta, and Representatives Maxine Bell, Debbie Field, and Donna Boe attended. Representative Margaret Henbest joined the meeting in progress, and Senator John Andreason was out-of-town. Staff members Rakesh Mohan, Director, and Margaret Campbell, Administrative Assistant, also were present, as were all other OPE staff.

Co-chair Keough called the meeting to order and introduced Brook Smith, Performance Evaluator, and Breanne Kunz, Intern, as new staff at the Office of Performance Evaluations. She welcomed those in attendance, and thanked the Office of the Governor for their attendance and written responses to the reports. Since time was short, she asked agencies to keep their remarks brief.

REPORT RELEASE: *HIGHER EDUCATION RESIDENCY REQUIREMENTS*

Representative Field moved to receive the report and Senator Calabretta seconded. The motion passed unanimously by voice vote. The report was publicly distributed.

Mr. Jim Henderson, Senior Performance Evaluator, and Brook Smith presented a summary of the report findings and recommendations. In response to questions, Mr. Henderson said the four institutions included in the report had indicated they will follow up with implementation of the recommendations.

Co-chair Keough called on the following to respond to the report:

Marty Peterson, Special Assistant to the President, University of Idaho
Mark Wheeler, Dean of Enrollment Services, Boise State University
Ross Ruchti, Registrar/Director of Enrollment Services, Idaho State University
Diane Johnson, Registrar, Lewis-Clark State College

The four institutions generally concurred with the recommendations and asked that the admission application be revised so it was user-friendly to applicants, particularly to 18-year-olds living in-state. Mr. Peterson and Mr. Ruchti provided a copy of their university's residency information affidavit form for later distribution to the Committee.

Co-chair Keough called on Dr. Randy Thompson, Chief Academic Officer, State Board of Education, to respond to the report. Dr. Thompson said he had initiated policy recommendations for the board's review at an upcoming meeting. The Committee also heard from Jane McClaran, Division of Financial Management, who said the Governor's Office supported the recommendations.

Representative Boe asked how the institutions handled residency determinations of applicants who were children of illegal residents. Mr. Henderson said he did not know, but would provide her that information after the meeting. Other members asked questions to clarify findings in the report.

REPORT RELEASE: *FISCAL ACCOUNTABILITY OF PUPIL TRANSPORTATION*

Representative Boe moved to receive the report and Senator Calabretta seconded. The motion passed unanimously by voice vote. The report was publicly distributed.

Mr. Mohan expressed his appreciation for the cooperation and assistance he received from the school districts, the Department of Education, the Board of Education, the Office of the Governor, and Budget and Policy Analysis. He stressed the importance of report recommendations and emphasized that none of the nine recommendations suggested any shift in decision making away from the local school districts.

Mr. Paul Headlee, Performance Evaluator, and AJ Burns, Senior Performance Evaluator, presented a summary of the report findings and recommendations. Representative Field thanked the office for developing the funding cap model. She asked if districts had access to any kind of a model in the past. Mr. Headlee said the need for a model came with the funding cap legislation last session. Until now, there had not been a designated model available for use by the Department of Education, Budget and Policy Analysis, and the school districts.

In response to Senator Marley's questions, Mr. Headlee said districts determine average number of riders by selecting any two days in each semester to count riders. The report recommended the department increase the number of days riders are counted and designate which specific days all 114 districts will count those riders.

The committee heard from Mr. Randy Tilley, Division of Financial Management, who said the Governor's office appreciated OPEs work and would be willing to work with the State Department of Education and the Legislature to make transportation more efficient.

Co-chair Keough called on Dr. Thompson to respond to the report. Dr. Thompson thanked the office for a thorough and professional job. He said the board would be looking at the recommendations. Mr. Tim Hill, Finance and Transportation Services Bureau Chief, State Department of Education, also thanked the office and said the department generally concurred with the findings and recommendations. He said the transportation staff had done a good job considering the small size of their office and numerous responsibilities they have to carry out. The department was in the process of hiring an additional transportation specialist and was looking for possible regional support.

In response to questions, Mr. Hill said the department needed clarity in statute for oversight and enforcement authority, and "teeth" if districts were not in compliance. Mr. Rodney McKnight, Transportation Supervisor, said the department was reviewing the number of hours it would take staff to conduct regular program reviews and would soon be prepared to respond to questions of

FTE needs. Historically, the department had been able to save the state up to \$16,000 per program review, but that amount may drop over time as regular reviews were performed.

Representative Boe said she wanted districts to work toward cost-efficiency, but cautioned against putting students on buses for unreasonable lengths of time.

Co-chair Keough invited Dr. Bob Dutton, Boise School District Deputy Superintendent, to respond to a recommendation directed to his district. Dr. Dutton said the district was reducing eight bus routes in Spring 2004, and 25 routes in Fall 2004. They were also looking at reducing costs for activity busing. Representative Henbest asked what the district's checks and balances were when entering into contracts, and said she hoped the district had prudent guidelines.

Mr. Headlee clarified members' questions of findings in the report. He said he was unable to estimate how many districts may be eligible for waivers because the waiver process had not yet been developed. He also said the decision of whether bus drivers should be allowed to perform 60-day inspections was not clear in statute and had been left to the department to correct.

ADMINISTRATIVE BUSINESS

Mr. Mohan reviewed the workload of the office and the follow-up reports he hoped to release during session. He also reviewed the requests for evaluation received to date. Senator Calabretta asked about the committee's policy to receive requests from the public. She cautioned that the office did not have enough resources to be available to the public, and said the function was a legislative service and not a constituent service. Mr. Mohan concurred.

Representative Henbest moved to revise committee rules to reflect that requests for evaluation shall be submitted to JLOC through a legislator, and citizens or state agency employees should be directed to submit potential topic concerns through a legislator. Representative Field seconded the motion, and it passed unanimously by voice vote.

The Committee discussed the general impact of the reports and what had been done in the past to encourage implementation of the recommendations. Mr. Mohan said he was involving the Governor's office, Budget and Policy Analysis, Legislative Audits, and germane committee chairs in developing report scopes. Also, he was conducting in-depth follow-up work to report financial savings and impact on legislation. As of this year, he had changed the office's performance measures to more accurately reflect the impact of reports, and was sending newsletters every six months to update legislators of impact.

Representative Field said the Committee needed the involvement of germane committee chairs to successfully implement the reports. She said that members should talk to germane chairs and encourage their attendance at report releases. She also said that staff could meet with germane chairs and recommend language for statutory changes.

Representative Field moved to have staff formulate statutory language for the reports released today and seek the approval of the Senate and House germane chairs through

JLOC. Representative Henbest seconded the motion, and it passed by voice vote. Senator Calabretta was recorded as voting no.

Co-chair Keough reminded the Committee that members have the ability to take recommendations to legislation. She thanked the staff for their hard work and thanked Mr. Mohan for his leadership.

The meeting adjourned at 5:00 p.m.