



PROGRAM EVALUATION DIVISION

NORTH CAROLINA GENERAL ASSEMBLY

December 2020

Report No. 2020-13

2020 Legislation Enacted Based on PED Reports

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 PED is to evaluate 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. PED primarily supports legislative oversight by conducting independent evaluations of state government as directed by the Joint Legislative Program Evaluation Oversight Committee (JLPEOC). At the conclusion of the evaluation process, PED generates a report that typically makes recommendations for legislative action.

During its 2020 legislative session, the North Carolina General Assembly enacted four session laws derived from reports published by PED.

Report	North Carolina Should Focus on Early Childhood Learning in Order to Raise Achievement in Predominantly Disadvantaged School Districts (May 2019)
Summary	Using a national dataset of average test scores for school districts from 2009–2015, the Program Evaluation Division (PED) identified characteristics of predominantly disadvantaged districts that demonstrate average or better performance on standardized state tests; PED subsequently completed case studies of 12 such districts. PED found that the gap in achievement between predominantly disadvantaged districts and more advantaged districts is already present by third grade and that the small group of high-performing predominantly disadvantaged districts are already achieving these average or better test results in third grade. Thereafter, these districts maintain similar rates of student growth compared to other disadvantaged districts. PED found that high-achieving predominantly disadvantaged districts share several characteristics including focusing on early education; increasing or maximizing student learning time; attracting, developing, and retaining high-quality teachers; using data and coaching to improve instruction; seeking additional outside resources; and promoting a local school board focus on policy and academic achievement.
Recommendations	The General Assembly should require districts that the State Board of Education identifies as low-performing to create an early childhood learning improvement plan as a component of their required plans for improvement and should require an assessment of early childhood learning as part of the Department of Public Instruction's comprehensive needs assessment process for certain low-performing districts.
Legislation	Session Law 2020-55 requires consideration of early childhood learning in improvement plans for low-performing local school administrative units and requires that comprehensive needs assessments for low-performing local school administrative units include analysis of early childhood learning.

Reports	Conveying Historic Stonewall Jackson Campus to Cabarrus County and Selling Adjacent Surplus Property Would Ensure Preservation and Be State Revenue Neutral (April 2020)
Summary	In 1907, the General Assembly established the Stonewall Jackson Manual Training and Industrial School to house troubled youth who had committed minor offenses. Manual Training School operations have given way to the Department of Public Safety's (DPS) Stonewall Jackson Youth Development Center, which serves the most serious youth offenders. Current operations use modern facilities, leaving the School's original buildings abandoned. The original Stonewall Jackson Training School site is significant because of its history and architecture. Its historic significance has earned the property designation in the National Register of Historic Places. Despite the Training School's historic value, most of its buildings have been condemned and recommended for demolition, which the State Construction Office estimates would cost the State \$3.8 million.
Recommendations	<p>Conveying a portion of the Historic Stonewall Jackson campus to Cabarrus County and selling related surplus property reduces the State's liability and can ensure the rehabilitation and preservation of the historic campus. This disposal strategy requires the General Assembly to take several actions:</p> <ul style="list-style-type: none"> • subdivide the historic district and convey it to Cabarrus County under covenants and easements that ensure historic preservation; • direct DPS to modify the perimeter fence line of the current Youth Development Center; • direct the sale of unoccupied surplus property; and • consider whether to subdivide and permanently convey the portion of the property currently being leased by the county for use as a park.
Legislation	Session Law 2020-63 transfers certain parcels of the Stonewall Jackson Manual Training and Industrial School property to the county of Cabarrus.

Report	Opportunities Exist to Further Ease Burdens on Military-Trained Applicants and Military Spouses in Obtaining Occupational Licensure (February 2020)
Summary	Military veterans and their spouses face unique challenges in obtaining occupational licensure. The provisions of N.C. Gen. Stat. § 93B-15.1 are intended to ease these burdens. Use of the statute has increased since implementation, yet opportunities exist to further assist members of the military community as they transition to civilian life or undertake relocation.
Recommendations	The General Assembly should require occupational licensing boards to offer an expedited application process for licensing military spouses and should require occupational licensing boards to publicize and promote N.C. Gen. Stat. § 93B-15.1 in order to increase awareness of its provisions by military-trained applicants and military spouses
Legislation	Session Law 2020-87 expedites occupational licensure for military spouses and directs occupational licensing boards to publicize licensure information and report data regarding applicants who are military spouses and applicants that have military training.

Report	Stream Restoration Projects Receive Duplicative State Funding and Inadequate Performance Management (March 2019)
Summary	The Program Evaluation Division (PED) evaluated the efficiency and effectiveness of the grant application process for stream restorations administered by the Department of Environmental Quality's (DEQ's) Division of Water Resources under the Natural Resources Conservation Service's Environmental Quality Incentives Program (NRCS-EQIP). The Western Stream Initiative (WSI) is the source of federal NRCS-EQIP funds used for stream restoration projects within 31 of the western counties in North Carolina. PED found that state funding for WSI projects has been duplicative, which occurred when two state sources—the Water Resources Development Grant (WRDG) program and the Clean Water Management Trust Fund (CWMTF)—provided funding for identical work activities within a single project. Additionally, PED found that data necessary to demonstrate the grant program's efficiency and effectiveness are not being tracked or reported, and of the data that are tracked, performance trends show diminishing returns. Lastly, WRDG-EQIP grant award calculations do not rely on historical project cost data, which results in imprecise awards and potential overawarding of funding.
Recommendations	The General Assembly should consolidate grant resources with either WRDG-EQIP or the CWMTF; direct the WSI grant administrator to improve performance management; and direct the State Auditor to perform an audit of state funds for WSI projects managed by Resource Institute.
Legislation	Session Law 2020-18 makes various changes to the agricultural laws of the state, including directing DEQ to develop performance management procedures for projects funded as part of the Western Stream Initiative.

JLPEOC endorsed bills based on recommendations from six other PED reports. The bills were not enacted before the end of the legislative session.

Report	Report Recommendations	Non-Enacted Legislation
Child Protective Services Intake Screening Lacks Consistency (November 2019)	The General Assembly should disallow use of local intake screening policies and should direct the Department of Health and Human Services (DHHS) to create a rapid response telephone line; take various actions to improve worker training; revise the structured intake screening tool; establish measurable intake screening benchmarks; and implement more robust program monitoring	H1048/S708 – An act to prohibit county departments of Social Services from implementing child protective services intake screening criteria that is more stringent or lenient than, or in addition to, state policy and to direct DHHS to make various policy changes as a means to improve the child protective services intake screening process

<p>DEQ Working to Improve Organizational Structure and Permit Processes, But Targeted Adjustments and a Permit Performance Management System Are Still Needed (November 2019)</p>	<p>The General Assembly should direct the Department of Environmental Quality (DEQ) to study narrow spans in five identified units and justify their presence or suggest adjustments and develop 1) a return-on-investment measure for the Permitting Transformation Project (PTP) and 2) a formalized permit performance management plan</p>	<p>H1049/S714 – An act to improve the organizational structure of DEQ by directing it to examine certain organizational units with spans of control less than the recommended threshold and to develop a formal business plan for the PTP as well as a performance management plan for permit processes that includes a data management system sufficient to support the PTP and the performance management plan</p>
<p>Improvements Needed to Gauge Effectiveness and Expend State Funds Available for Postsecondary Financial Aid (October 2019)</p>	<p>The General Assembly should modify state law to fully expend state-supported educational financial aid, direct increased reporting from private institutions, direct the State Education Assistance Authority to improve internal practices, and consider appropriating program administration funds for the UNC Need-Based Grant</p>	<p>H1052/S726 – An act to make necessary improvements to ensure state funds for postsecondary educational financial aid programs are fully expended and to gauge the effectiveness of those programs</p>
<p>Evaluation of Efficiency and Effectiveness of State Ports at Wilmington and Morehead City (October 2019)</p>	<p>The General Assembly should direct the Authority to establish strategies to address deficiencies at the Port of Morehead City, more comprehensively measure service quality, and report on the implementation of an EMS, and should additionally align the containerized cargo statute with operations at the ports</p>	<p>H1058/S707 – An act to improve the efficiency and effectiveness of North Carolina state ports and to make needed statutory changes</p>
<p>Compromise Process for Resolving ABC Administrative Violations Lacks Policies and Procedures, Rationale, and Transparency, Resulting in Disproportionate Penalties (March 2020)</p>	<p>The General Assembly should consider requiring the Alcoholic Beverage Control (ABC) Commission to set guidelines that ensure penalties are proportional to offenses, increase transparency for permittees, and establish performance management criteria</p>	<p>H1082 – An act directing the ABC Commission to (i) create a policy that establishes a rationale for administrative penalties and improves transparency for permittees and (ii) include criteria on its web site to evaluate the effectiveness of administrative penalties at reducing the number of repeat offenders</p>
<p>Improvements to Inmate Healthcare Reimbursement and Internal Processes Could Save \$5.6 Million Annually (October 2018)</p>	<p>The General Assembly should consider establishing a data analysis position in the Department of Public Safety's Health Services division</p>	<p>S723 – An act to appropriate funds to DPS Health Services to fund one full-time Social Research Specialist III to analyze data on inmate health care</p>

For more information on this follow-up report, please contact Josh Love at josh.love@ncleg.gov.

50 copies of this public document were printed at a cost of \$1.80 or \$0.04 per copy.