

**LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE**  
One Granite Place, Room 234  
Concord, NH  
Friday, April 10, 2026

**MEMBERS PRESENT:**

Representative Gerald Griffin, Chair  
Representative Keith Erf  
Representative Kenneth Weyler  
Representative Mary Jane Wallner  
Senator Cindy Rosenwald  
Senator Timothy Lang  
Senator Howard Pearl

**1. Acceptance of the March 6, 2026, meeting minutes**

GERALD GRIFFIN, State Representative,  
Hillsborough County, District #42, and Chairman: I do think we  
have a quorum. It is nine o'clock. So we will begin. And --  
uh --

CINDY ROSENWALD, State Senator, Senate District  
#13: Do we do the minutes?

CHAIRMAN GRIFFIN: Wait a minute. We'll do the  
acceptance of the minutes. I'm sorry. I'm one step down  
today.

\*\* SEN. ROSENWALD: I would move that we accept the  
minutes of the March 6th, 2026, meeting.

KEITH ERF, State Representative, Hillsborough  
County, District #28: Second.

CHAIRMAN GRIFFIN: All in favor? Opposed?

Abstentions?

\*\*\* {MOTION ADOPTED}

## 2. Status of ongoing audits

CHAIRMAN GRIFFIN: Okay. Now we can go on with the -- our audit team.

CHRISTINE YOUNG, Director, Audit Division, Office of Legislative Budget Assistant: Good morning, Mr. Chairman, and Committee Members. For the record, I'm Christine Young, the Director of Audits, for the LBA. And with me is Jay Henry, Performance Audit Supervisor. I'll provide a brief update of our ongoing audits.

For the Special Education Audit, we are writing the report. We currently have 39 of 80 Observations completed. Uh -- 12 Observations are currently in management review status. Fourteen Observations are being drafted and another 15 are pending. We are expecting to have a draft report in the second quarter of the year, and a final report later this summer.

With Education Freedom Accounts, we are writing Observations. We have 27 of 42 of the planned Observations completed. Five observations are currently in management

review status, and three Observations are being drafted. And we're expecting to have a draft report in the second quarter of this calendar year, and then a final report in the summer.

With the Doorway Program, we have a draft report with 15 Observations in it. The report was sent to the Department of Health and Human Services on March 30th, and we expect to receive the auditee responses by April 24th. And we'll have an exit conference shortly thereafter. And we're expecting to present the report at the May Fiscal Committee meeting. That's it.

CHAIRMAN GRIFFIN: Thank you. Does anybody have any questions?

SEN. ROSENWALD: Just one.

CHAIRMAN GRIFFIN: Senator.

SEN. ROSENWALD: How big is that Special Ed audit going to be? Do you have an estimated weight?

MS. YOUNG: Oh, gosh. I mean, I think --

SEN. ROSENWALD: Is it going to be like this?

MS. YOUNG: Yeah. I'm not sure how thick it will be, but I think the estimate at this point was over --

JAY HENRY, Audit Supervisor, Audit Division, Office of Legislative Budget Assistant: Three pounds.

MS. YOUNG: I think it was over --

MR. HENRY: Where's Grady?

MS. YOUNG: I know. How many pages, Grady?

STEVE GRADY, Senior Audit Manager, Audit Division, Office of Legislative Budget Assistant: Over 800.

SEN. ROSENWALD: Eight hundred pages.

CHAIRMAN GRIFFIN: Wow.

SEN. ROSENWALD: Thank you.

CHAIRMAN GRIFFIN: Yeah, wow.

SEN. ROSENWALD: Summer reading. Our summer reading.

MS. YOUNG: Yes.

CHAIRMAN GRIFFIN: Okay. I guess if there's no other questions on the status of ongoing reports, we'll move out on to Item 3, review of the responses -- responsiveness of prior audits.

### **3. Review of responsiveness to prior audits**

MR. HENRY: I was going to say, I don't think OPLC is here yet. So you can start with the next one.

CHAIRMAN GRIFFIN: Okay. The Commission on Human Rights.

RAYMOND PINARD, Chairman, Human Rights

Commission: Good morning, Mr. Chairman, Members of the Committee. My name is Ray Pinard, and I'm the Chairman Commissioner of the Human Rights Commission. With me today is Katrina Taylor, and she is our Executive Director. Uh -- I'm sorry, but our report is only 20 pages, but we can work on that if you want.

Um -- as of the last report that you received on or about March 27th of this year -- uh -- you've probably already noted that we have completed 22 of the Observations that were presented to us about a year ago. The items that are still outstanding is number one, ensure cases are processed timely. That is substantially resolved. We still have a few openings for investigators, and we were successful in hiring one about two months ago. And we have another one who will be starting on May 1st. So as we reach full complement, cases will be processed in a more timely manner.

I will say that contrary to the publicity that was released last February in the press where they stated, I believe, about 80 cases were over the three year mark, all those have been brought into the three-year period, statutory period in which we adjudicate all our cases.

Uh -- number six, conduct a formal risk assessment. This is a project that I'm managing, along with

Katrina, and we have a risk assessment manual drafted. And we expect that that will be done well before our next reporting period in September.

And the last outstanding item was institute a comprehensive performance measurement. Uh -- that also is near completion. Uh -- we -- Katrina developed a scorecard for us to monitor our incoming cases, where the cases are in the process whether they're pending, have been assigned to an investigator, we have found probable cause or no probable cause. And then it moves into the mediation, either the case is complete or it moves into the mediation phase. And -- uh -- that is going quite well right now. We have a meeting with the Advisory Committee for the HRC that was in the legislation that passed last year. We have a meeting with that group on May 1st, and we will be distributing our scorecard ahead of time to that group.

Just one item with scorecard is there are two parts. There's one that I would say is for the general public, and then there's an internal scorecard by investigator. And because we do not want to invest -- advertise which investigator's handling what cases, we've outlined the investigators as A, B, C, D, E, F, and how many cases they have outstanding. So, internally, we are monitoring every case that

every investigator has, and the process that it's going through, and where it stands in the process. But -- uh -- for internal reasons, obviously, and security reasons, you might call it, we are not going to publish publicly the name of the investigator and what cases they've been assigned. I'm sure you can understand that. That's to protect the victim as well as the respondent.

So those are the three remaining issues. Um -- as far as our rules, which we have put as fully resolved, we are having a hearing next Friday.

KATRINA TAYLOR, Executive Director, Human Rights Commission: Monday, April 20th.

MR. PINARD: April 20th. And our rules have been through LBA, and we will be having the public hearing on the 20th. And then from that point, as you know, there's a process that the rules have to go through. We -- uh -- have to review and respond to all the comments. And then once that is all complete, we'll be voting on that as a commission to accept the rules and that essentially our work is done, other than listening to the public. Be happy to answer any questions.

CHAIRMAN GRIFFIN: Yeah. It's -- it sounds like you're making significant progress. Do I understand you correct that by year end the final three items will be taken

care of or -- or am I putting --

MR. PINARD: Yes.

CHAIRMAN GRIFFIN: -- words in your mouth?

MR. PINARD: No, no. I would say the only item that is a little bit up in the air is, you know, it says -- number one says ensure cases are processed timely. They are being processed timely; but we noted that is substantially resolved, because we -- internally we would like to see things going faster. Right now, I would say based on the cases that I'm reviewing, they're averaging, 20, 22 months.

CHAIRMAN GRIFFIN: Do our other Members have any questions? Hearing none, I guess we'll thank you for coming before us.

MR. PINARD: Thank you.

CHAIRMAN GRIFFIN: Congratulations on the progress to date.

MR. PINARD: Thank you very much.

CHAIRMAN GRIFFIN: Okay. Then we have Police Standards and Training.

JOHN SCIPPA, Director, Police Standards and Training: Good morning, Mr. Chairman. Good morning, Members of this Committee. My name is John Scippa. I'm the Director of New Hampshire Police Standards and Training. With me today

is the Assistant Director, Mark O'Brien.

CHAIRMAN GRIFFIN: So, can you update us on the progress of the open items?

MR. SCIPPA: Yes, sir, Mr. Chairman. Presently, and I'd like to just point out kind of a Scrivener's Error, I checked the wrong box on the very first page of the document that we provided on number nine. The box that I checked indicates fully resolved when, in fact, number nine should be substantially resolved. So I apologize for that error on the first page. And I would ask the Members of this Committee to refer to item number 6.

Observation No. 6 was to incorporate a job task analysis into curriculum development. And I would tell you that this particular Observation we have substantially resolved. We have worked with an outside vendor that we contracted. They conducted a very robust survey. We had very good response from the New Hampshire law enforcement community.

From that job task analysis, I had members of my staff then meet with subject matter experts from within the state on each one of the general topic areas. Legal topics, patrol procedure topics, firearms, things of that nature.

Working with those subject matter experts on those broad topic groups, my staff, they -- the -- the members

of my staff were able to make a bunch of findings and recommendations. Those findings and recommendations are being captured into a summary analysis that we will be presenting to the New Hampshire Police Standards and Training Council for their consideration on what the next step should be with regard to whether we change any of the curriculum, augment the curriculum moving forward.

The only piece of that JTA Project that we've kind of put on hold spoke specifically to fitness testing. And the reason we kind of put that on hold was because of a bill that was submitted in this legislative session that was contemplating in the first instance changing some of the dynamics of that three-year fitness testing. And then, ultimately, at the wish of the Council was to actually no longer conduct the oversight and instead provide an opportunity for local police chiefs to kind of oversee fitness standards within their agency. That bill is still being deliberated on.

Once the bill is ultimately decided on by the Legislature, that will dictate what the next step would be for us. And so we -- we're just standing by to see how that -- how that falls.

With regard to Observation No. 7, development of performance measurement system and strategic plan, I can tell

you that the Members of the Council absolutely want to get this done. They see this as a priority. As a matter of fact, in the last two Council meetings, the Chair of the Council has brought that up for discussion among the Council Members. And you'll see with one of the next Observations that we're going to talk about, the Council recognizes that this is a priority and at the same time there's a greater priority which is the finishing of updating the administrative rules that we operate under.

And so while the Council recognizes this to be a very important item that they want to get done, they also recognize that we have the -- this whole notion of getting the rules done first, and that is really the priority.

The hope is to have a retreat with Council Members specifically to talk about a strategic plan, specifically to talk about any kind of curriculum changes that we need to make and -- and kind of future planning, which is something that the Council just really has not had a lot of opportunity to be able to do, really because of the number of hearings that we're holding on accountability issues, and the whole rule change process that -- that takes up a lot of time and effort.

CHAIRMAN GRIFFIN: Is -- is there a timetable

for that?

MR. SCIPPA: Uh -- relative to the strategic plan, sir?

CHAIRMAN GRIFFIN: Yeah. Well, the last -- the seven and -- uh -- seven and ten, the administrative rules, the two priority items. Is there a timetable on them?

MR. SCIPPA: Yes, sir, Mr. Chairman. As a matter of fact, I would ask that the Members refer to the very last page of the document that I've -- I've provided. You'll see that we have a very tight line -- timeline with regard to how the Council has mapped out the next steps for all of the rule change efforts. And you'll see that, in fact, we're -- we're really requiring that all Members of the Council be there for full day sessions, which is a bit unusual. The Council can generally get their job done in a half a day; but we understand that this -- this is the number one priority is get our rules taken care of. And they have been provided with this timeline. We have to hold the Council very strictly to this timeline in an effort to -- to accomplish that rule change.

CHAIRMAN GRIFFIN: Let me ask our other Members if anyone has any questions on the items we've done to date. Representative Erf.

REP. ERF: Senator {Inaudible}.

CHAIRMAN GRIFFIN: Senator.

SEN. ROSENWALD: Um -- thank you. Um -- could you talk to us a bit about item sixteen, complying with statute.

CHAIRMAN GRIFFIN: Well, I was -- I was -- excuse me. I was going to let him get to the other items.

SEN. ROSENWALD: Oh, I'm sorry.

CHAIRMAN GRIFFIN: I wanted to do the ones that we already discussed.

SEN. ROSENWALD: Okay.

CHAIRMAN GRIFFIN: Which is down through -- uh -- um -- down through nine with the exception of eight. So Representative Erf.

REP. ERF: No, I had the same misunderstanding.

CHAIRMAN GRIFFIN: Okay. So I'm sorry. Please continue.

MR. SCIPPA: Thank you, Mr. Chairman. Number ten, I think we've -- we've kind of talked about that, and it is to improve the administrative rules; and, clearly, that is the number one priority of the Council, and that is really what they're directing a majority of their efforts on every time that they meet. We do have a project manager that is overseeing that, and we're working -- working that JLCAR

process through.

And then, finally, number sixteen, which speaks to the Corrections Advisory Committee. And this was in the last time that we were here, this was -- it's really unchanged candidly. And part of the reason why is the Commissioner, who is here with us today, is relatively new. And -- and to that end, I really want to work with him, and together I think we might need to come up with an amendment to RSA 106-L that outlines this Corrections Advisory Committee. And the reason that I feel that that's important is because the way the language in the statute exists now -- uh -- they're very specific members that are assigned to this particular committee. And it was my experience during 2020 and 2021 when I was calling these meetings together that a vast majority of the membership really did not have a -- a ground floor understanding of what the curriculum for the Corrections Academy looked like. They were very high-level folks from DOC; but they represented, you know, the nursing staff and they represented industrial -- Jane, help me --

JANE GRAHAM, Administrator, Strategic Communications and Legislative Affairs, Department of Corrections: Rehabilitative services.

MR. SCIPPA: Rehabilitative services. So those

folks, you know, they certainly brought some expertise to the table, but it wasn't helpful to a corrections officer's curriculum for basic academy.

I just had a meeting with members of DOC to speak about some changes to certification process. And the folks that appeared at that meeting were the people that really need to be on the Corrections Advisory Committee.

The Commissioner identified a number of people in headquarters that could bring value to that discussion. And not to say those other folks don't bring value, but really boots on the ground understanding of what a corrections officer needs to do to be certified and what they need to have for knowledge to do their job. So I think it's probably going to take an amendment to the statute so that we can reorganize that Committee so that it's -- it's going to bring more value to the table.

CHAIRMAN GRIFFIN: Senator Rosenwald, you had a question?

SEN. ROSENWALD: Well, that -- that's what I was looking. Thank you.

CHAIRMAN GRIFFIN: Representative Erf.

REP. ERF: My question is more -- it's not specific to any of these. It's a general -- general request.

Is this the appropriate time?

CHAIRMAN GRIFFIN: Yeah.

REP. ERF: Could you provide a PDF of your document to Mr. Henry for distribution?

MR. SCIPPA: Absolutely.

REP. ERF: Thank you.

CHAIRMAN GRIFFIN: Does anyone else have any questions on it, the Police Standards and Training Council? Senator Long.

TIMOTHY LANG, State Senator, Senate District #02: Lang, but that's close enough. So, John, thanks for coming. Um -- so my -- my question is not sort of relative to this but in general that last item of conversation about DOC and certification. I know there's -- when I was on delegation a lot of conversation that we've given, we basically don't have Police Standards and Training Certified County Correctional Officers; is that correct?

MR. SCIPPA: Presently that is correct. The only -- the only involvement that New Hampshire Police Standards and Training Council has is that statutorily annually they review the Association of Counties' curriculum for their county corrections officers, and then the Council will approve it. And that's as far as it goes. We don't certify those

officers.

SEN. LANG: Follow-up. Follow-up.

CHAIRMAN GRIFFIN: Yes.

SEN. LANG: So is there -- again, the question we have conversation on a regular basis about consolidation, right? How can we get the most amount of return on investment for training? Um -- has there been any discussions about consolidating the Counties' Corrections Program into Police Standards to maximize our value?

MR. SCIPPA: Thank you, sir, for that question. And, in fact, the very meeting that I just talked about, where I met with DOC command staff, was specific to building or creating an opportunity, a pathway for a county corrections officer to complete what we would refer to as a law package to allow them to take their training, maybe get some augmented training, to get them certified as a State Corrections Officer.

We certainly would stand ready to absorb the County Corrections Academy. I know that that would probably involve a lot of discussion, and I don't know where the -- the Counties -- Association of Counties would stand on that topic; but we certainly stand ready to have a conversation and see if there's some value in consolidating.

SEN. LANG: Love the idea of the law package

having gone through one myself before.

CHAIRMAN GRIFFIN: Anyone else? Representative Weyler.

KENNETH WEYLER, State Representative, Rockingham County, District #14: When do you think you'd be ready to have a proposed statute to amend the membership on this?

MR. SCIPPA: I could have, as long as I can work into the -- the DOC Commissioner's schedule, we can -- we can turn that around I think pretty quickly, sir.

REP. WEYLER: Thank you.

CHAIRMAN GRIFFIN: You have your light on.

SEN. LANG: Oh, sorry.

CHAIRMAN GRIFFIN: Well, it sounds like you've made progress, and we appreciate you coming in and updating us, and keep up the good work.

MR. SCIPPA: Thank you, Mr. Chairman. Thank you, folks.

CHAIRMAN GRIFFIN: And we're going to move on to the Audit Parole Board. Do we have --

WILLIAM HART, Commissioner, Department of Corrections: Good morning. My name is Bill Hart. I'm the less newly minted than I once was Commissioner of Corrections, and we're here to help answer any questions.

I did want to make a general remark, though, before we get into the details. It's my understanding that we at DOC have not been particularly responsive to audits by this or questions by the -- this Committee. What I can tell you is that when you ask a question you will get a direct answer quickly. And if you ever need to meet with us in person to ask questions, we are happy to be here.

Uh -- I'll also say I'll get on that task with Director Scippa as soon as possible, and Jane can answer the specific questions.

MS. GRAHAM: So with this audit we -- there were 13 of the 26 findings that involve the Department of Corrections. Out of those 13, 11 are resolved at this point. There are two remaining and that's Observation No. 3 and Observation No. 26, those two. The Observation No. 3 especially involved the Parole Board instituting a structured decision-making process, which we are happy to support them in any way that we can. They have reported to us that they don't need assistance with that at this time from us, at least. They've applied with the National Institute of Corrections to be accepted into their academy to start instituting a structured decision-making process. And that is set to begin at either the end of May or early June. They hadn't finalized

that yet at the NIC. But that will involve -- it's a pretty lengthy process that will involve DOC coming to the table as well to talk about the -- the rules and regulations we have that we deal with for parole and probation.

So -- and then Observation 26, which is about the Board and data. We -- we do provide, we share -- while we're only administratively attached, we don't oversee the Parole Board in any way. We do share all of our data together. So they have access to our offender management system and all the data that we collect.

Right now the Parole Board is involved in instituting a recidivism study. They are manually collecting that data. We hoped to have a module that would attach onto our offender management system when we upgraded it recently. However, we -- due to budget constraints, we weren't able to do that. But the Parole Board's still pushing forward with their own manual collection of that data.

One of the things that that's tracking, I think there's a misperception in the past because of the way our system collects data, that when we violate somebody's parole or when -- at the officer level, and then the Parole Board revokes that parole, that they're revoking over technical revocations for maybe one or two instances of an issue and that's not the

case. It's because our system when you look at it manually on paper, you can see that it was revoked for multiple violations of the same rule.

So if we have rule number one, technical violation that the parole officer is -- is violating somebody on, they may have violated that one rule about five times. But because of the way our system's collecting data, it's not collecting how many times each rule is violated. So that's one of the problems there.

However, Parole Board, as I said, is manually starting to track that data now. So we will, hopefully, have better -- better data going forward. Um -- we work together a lot on making sure that the information that we get the Parole Board is gathered in more timely manner.

One of the issues in the LBA audit was getting data and information surrounding substance use disorder treatment within the facilities. We did institute a Parole Board specific release of information form that's HIPAA compliant allowing us to share information back and forth with the Parole Board about treatment records. So we've resolved all of those things.

Um -- and I am happy to take any questions on any other outstanding. But at this point, those last two

items, the Parole Board has reported that they don't need any assistance from the DOC on. But those are our last -- our last two to close out.

CHAIRMAN GRIFFIN: Senator Lang.

SEN. LANG: I believe the Parole Board also has a new chairman, if I'm not mistaken.

MS. GRAHAM: They do, yes.

SEN. LANG: And Chairman -- Chairman Blankenbecker --

MS. GRAHAM: Yes.

SEN. LANG: -- is the new Adult Parole Board Chairman, and my understanding she's shaking some things up. Is that --

MS. GRAHAM: Yes. I think she's doing a great job. She's definitely --

SEN. LANG: Thank you very much.

MS. GRAHAM: -- hitting the ground running.

CHAIRMAN GRIFFIN: Anyone else have any questions?

(Senator Pearl enters the committee room.)

REP. ERF: Do we have a copy of what you were just talking about in our --

MS. GRAHAM: I will have it ready in PDF to send

to you right after this meeting.

REP. ERF: Okay. Thanks.

REP. WEYLER: {Inaudible}.

CHAIRMAN GRIFFIN: Any other questions? Do you have a -- what's your target date to have everything cleaned up?

MS. GRAHAM: So if they start -- I'm not sure how long the structured decision-making process will take for the Parole Board, but it is beginning within next month or in June. So that piece will be taken care of. I can check with the Parole Board to see when they expect to have the recidivism study done. Typically, you do a recidivism study in a three-year span. So you look at the last three years of data to get that one. So I can check with them and see where they're at with that.

CHAIRMAN GRIFFIN: Okay. Thank you.

MS. GRAHAM: Happy to do that.

CHAIRMAN GRIFFIN: Well, we thank you for coming before us, and we'll probably see you again.

MS. GRAHAM: Okay. Thank you.

MR. HART: Happy to do so. We look forward to working with you. Thank you.

CHAIRMAN GRIFFIN: So do we have OPLC here

today? Yeah. Okay. Please come forward.

DEE JURIS, Executive Director, Office of

Professional Licensure and Certification: Good morning. I apologize for my few minutes of tardiness. Happy to come back and back clean-up here at the end.

Just for the record, my name is Dee Juris. I'm the Executive Director at OPLC. Please forgive my screen. You have printed materials. I have them digitally in front of me, so happy to just reference them here.

Um -- so I would just provide an update on the Mental Health Workforce Audit is what we're -- I believe you had asked me to speak on. So the audit had twelve findings, six of which are fully resolved, and then six of -- six of which we have marked substantially resolved. So we're making good progress truly on all of those. So that would be findings four, five, six, and then ten, eleven, twelve. And you will see essentially nearly all of them have the word rules in them. So they are mid-rulemaking. The Board is making good progress on that. So it's rules for military related applications, rules for acting on applications that align with State laws.

In some ways, I don't -- I think at some point I will mark that fully complete; but as the State laws change every year, we will ever be making rules to comply with laws.

So I -- I anticipate perhaps in the next six-month report I will mark it fully complete and just say that will be an ever-present continuing of operations.

The measuring of timeliness of application processing. I also anticipate being able to mark that fully complete by the end of this calendar year. The office will have migrated, if not entirely, nearly entirely to a new processing back-end system for financing and licensing applications. And that is going to allow us to gather really good metrics on that, because it's all going to be in one place. Currently, we have a couple different ways that applications can come through just by the nature of the system and boards coming from kind of all across the state into one central location.

So then finding ten, adopting rules for some licensing requirements and processes. Again, that's one I will probably mark fully or fully complete but will be ever-evolving as rules change.

Clearing consistent application, would say we're nearly fully complete on that. I think we want to ensure in this new system as we're doing that legal review that what we think is clear and consistently applied truly is, and I think we'll have good data for that in the next several months.

And then the examination requirements, the Board's been diligently working on and just launched a juris prudence exam actually for the Mental Health Board. So that is an update there. It was just launched, so it hasn't been officially implemented; but we just provided that notice I believe last week. So I'm happy to take any questions or happy to give you some time back in your day.

CHAIRMAN GRIFFIN: So I'm -- I'm going to ask you people the same I asked everybody else. What's your completion date?

MS. JURIS: So on this -- oh, I don't think I had a completion date on this report. I apologize. I believe we were targeting Spring of '27. So within a calendar year to be fully complete. I would expect -- as I mentioned, I think probably four of these six that are only substantially resolved, I would mark fully resolved in the next six months status update that we would provide at the end of this year. So I think within a year.

CHAIRMAN GRIFFIN: Any other questions? Seeing none, we thank you.

MS. JURIS: Thank you.

CHAIRMAN GRIFFIN: Thank you for the progress. Okay. I think we took care of Item 3. Item 4, Suspended,

Tabled, and Potential Audit Topics. I guess, Director Young, that would be your field.

**4. Suspended, tabled, and potential audit topics**

MS. YOUNG: Yes, absolutely. Um -- so agenda item number four, the first two bullets are still in the same status. They are both suspended at this point because of ongoing litigation. So that hasn't changed. And then with DHHS contract management, the Department did a presentation before the Committee at the last meeting. And with the Bureau of Developmental Services, the Committee heard from DHHS on this topic in February. And I think our question would be did you still want to keep all of these topics on the agenda as potential audit topics?

CHAIRMAN GRIFFIN: I'll open -- I'll open the question up to the Committee. Representative Weyler.

REP. WEYLER: What's the staff availability? Could you take them all on at once or just one at a time or --

MS. YOUNG: We do not have any staff available at the moment. We had two auditors that completed the Doorway Program Audit. They are currently assisting on the Special Education Audit right now -- um -- just in helping to wrap that

up. Um -- so I guess it would depend on what the Committee would like to do. If you'd like to keep these topics on, we do have the newest topic that you provided us at the last meeting, the Mobile Crisis Intervention Program, and I think we're just looking to have the Committee maybe prioritize which -- which topics to do first.

REP. WEYLER: I think Representative Layon is going to suggest another topic. So maybe we'll wait to hear about that. Obviously, you don't have the staff availability --

MS. YOUNG: Right.

REP. WEYLER: -- to start working on too many of these, and the Special Ed. has been a monumental.

MS. YOUNG: It's been a monster, yes.

REP. WEYLER: So looking forward to reading that for a couple of weeks.

MS. YOUNG: Right.

SEN. LANG: So thank you, Mr. Chair.

CHAIRMAN GRIFFIN: Senator Lang.

SEN. LANG: So I'm not sure whether to bring this up under other business or this business, but I'll bring it up here.

Um -- so currently I had a conversation with

Miss Young yesterday. Um -- currently the Department's undergoing an audit for EFAs that they're in process of doing right now. Um -- many of us in our communities in March had an item added, a warrant article added that was about accountability and transparency in Education Freedom Account Program. Um -- so I had a conversation with the Commissioner of Education about this, and what -- what would help us in the -- in achieving what many towns passed as a warrant article to tell the Legislature.

So they made a recommendation, you know, we made -- we came up with two items that I'd like to add to the scope of work even well before it's finished, so we don't end up having to wait and delay to get another one in a year when we have more staff. So I want to incorporate this into the existing ongoing scope of work. And the two items I want to look at is the verification of residency and eligibility. As you know, we expanded EFAs to be universal, which makes it a little more difficult because we're not checking some financials anymore. And so we want to make sure that we have -- we verify the residency of the people in the program. And then the other part of it was a record of educational attainment while preserving student privacy.

So these two items I'd like to add and I'll get

exact language to us. But I'd rather it add into the existing audit that's going on so we can see the big picture of what's going on when it comes to transparency and accountability in that agency.

I had a conversation with the Commissioner of Education. As you remember, we had a little bit of a kerfuffle last term with the previous Commissioner of Education about what data, what access would be granted. I am assured by the existing Commissioner of Education these topics that I've just asked to outline will -- they'll receive a much warmer reception in the Department of Education to be able to attain and achieve the goals necessary for this -- uh -- two items additional to the scope.

So I'd like the Committee's indulgence to be able to do that to be able to meet the many towns that sent us these requests and to show that we're being responsive in getting the data relative to accountability and transparency.

CHAIRMAN GRIFFIN: Representative Weyler.

REP. WEYLER: Well, it sounds good. I'd support those.

REP. ERF: I think they're a good idea.

SEN. LANG: So, Mr. Chair, if we will, what I'll do is I'll work with the Commissioner and the LBA Audit

Division to write the actual scope. And either we get and do a straw poll next, you know, via e-mail to accept that scope or we can hold it till next meeting and schedule a meeting for a vote to accept it.

I will acknowledge that that change will also have to go in front of Fiscal Committee because they approve the scope of work as well, just like we do. So the sooner we can get to it, the sooner we can get it over to Fiscal, the sooner we can have the LBA be able to incorporate that into their existing audit.

CHAIRMAN GRIFFIN: Uh -- Representative Wallner.

MARY JANE WALLNER, State Representative,

Merrimack County, District #19: I was just wondering from the staff adding items at this point, I'm wondering how much delay that will make the report that we might -- I -- I had noted that you might have had this report done by summer. So I wondered how much delay do you think that would make it?

MS. YOUNG: Yes. I am concerned about the delay. Um -- as you know, we've been operating under the premise that we did not have access to the records at the scholarship organization. Uh -- so we haven't been able to look at applications or supporting documentation to verify the residency of the students in the program. So we -- we don't

currently know what city or state they may live in. Um -- so we would need to do a file review and obtain copies of the applications and supporting documentation for that, as well as supporting documentation to reverify the residency of the students year after year. Uh -- so there would be a number of samples we'd have to -- we'd have to take and obtain documentation for.

Um -- we have not spoken to the Department of Education about this change in position. So we would want to do that to understand -- um -- the change and to assess how it would impact the scope of our audit. My concern is that we would identify additional issues and that could potentially open up a can of worms.

So as far as how long would it take for us to do the work, I don't have a great answer for you because it really is dependent upon what issues we identify as we're doing the audit.

CHAIRMAN GRIFFIN: I -- I -- I'd like to comment myself. I think it's incumbent on us to act as Senator Lang has asked us to do because this issue's become a, you know, an issue in every town, pretty much. And there's -- we just can't let it go for years, and years, and years. And we have an audit in process. And I think that's the most reasonable way

to go forward is to move forward on those two items and as in conjunction with the audit.

SEN. LANG: Mr. Chair, if I may? Again, so I'm happy to work with the LBA and the Commissioner. I did have a conversation yesterday with the Commissioner. And I guess she said the LBA will receive a much warmer reception in the Department of Education knowing that this is a priority for the Legislature, given the number of towns that voted in March on this item and submitted letters to all the Senators and Legislators and the Governor's Office. So we -- I do think this is a priority that needs to be addressed, and we should address this sooner rather than later. And so by adding these couple items to scope, it -- it expands out some of the accountability and transparency issues. So that was we requested to look into.

So, again, I just ask the Committee's indulgence to vote to say yes, let's move ahead with that, and I'll work with the agency, I'll work with the LBA, and I'll work with the Department of Education to make sure the scope of work is clearly defined so they know what they're getting into.

CHAIRMAN GRIFFIN: Yeah. And I think our timetable would be maybe next month's meeting it be something that we could all vote on one way or the other. Representative

Weyler.

REP. WEYLER: This residency question, if a family from Massachusetts sends their child to Phillips Exeter Academy, and then they say yes, he's a resident of New Hampshire, are they going to getaway with that or is it where the family resides?

MS. YOUNG: If you don't mind, I'm going to ask Paige Lorenz. She's one of the managers on the Education Freedom Account audit, and she has a deep understanding of the program. So I'll ask her to respond if she could.

PAIGE LORENZ, Audit Manager, Audit Division, Office of Legislative Budget Assistant: So, currently, as eligibility applies to students, they must live in the State of New Hampshire. The Department did do some monitoring in 2024 where they looked at residency for 50 students for the first two years of the program, and they did find that they weren't getting the documentation required to establish residency in New Hampshire or verify residency in New Hampshire.

They recommended that the scholarship organization reverify the first two years of every student in the program. We don't have an update on that, but there was an initiative by the Department to reverify residency based on verification that the students lived in New Hampshire. Um --

we don't know, without the access to the scholarship organization's procedures, what happens when they identify students who are not residents of the program.

REP. WEYLER: Well, they could be living in New Hampshire while they're going to the school. They could be living in New Hampshire while they're going to the school.

MS. LORENZ: Oh, that's allowed. Yeah, they can spend their money outside the state. There's no restriction on that in the program.

REP. WEYLER: So somebody from Massachusetts could send somebody to Phillips Exeter, have them live there and get an EFA?

MS. LORENZ: No, the household, as we understand it, we don't have access to the records, but the -- the -- the household, they have to reside in the State of New Hampshire.

REP. WEYLER: The student does.

MS. LORENZ: Yes.

REP. WEYLER: But what about the family that's paying for his bills?

MS. LORENZ: The family has to live in New Hampshire. That's what we understand, but we don't know how it's being implemented.

REP. WEYLER: Thank you.

SEN. LANG: I think these very questions are the reason why we should add this to the audit to be able to go.

SEN. ROSENWALD: Thank you, Mr. Chairman. So the -- we were told under the previous Education Commissioner that the Department didn't have access to the granular data from the scholarship institution. And -- um -- you're saying that or Senator Lang is that the current Commissioner is going to more -- be more receptive to questions. Will the Department, though, have access to that data? Will they -- maybe it's a question for Senator Lang. Will the Commissioner get the data for these two questions from the scholarship organization or will it be a warm reception, but they still won't have the data?

SEN. LANG: My understanding is they will -- it'll be a warm reception, and they're willing to go get the data.

MS. LORENZ: I would like to add, I appreciate the time to work with us because we did meet with the new -- our management met with the new commissioner and inquired about our access to records at that point. And they informed us that we still -- their stance was we still did not have authority to access the records. So, we appreciate the time to reassess that situation.

SEN. ROSENWALD: Can I just say it's nice to see Paige back here.

MS. LORENZ: You as well. And congratulations on your second retirement.

SEN. ROSENWALD: Thank you.

CHAIRMAN GRIFFIN: So I guess we will move forward on that plan.

SEN. LANG: And work -- being work with the Commissioners yourselves to make sure we identify the scope, and then we'll talk to Chairman about how when -- when and how fast we can access that to add it to your scope so it doesn't create too much of a delay for you.

CHAIRMAN GRIFFIN: Yeah. And if when you get there, if you can kind of e-mail ahead of the next meeting.

SEN. LANG: Sure. I -- I -- I will when I work with the Department to schedule -- get the scope kind of clearly defined to add to the audit, I will make sure everyone gets a copy of it so we're voting on next week or next meeting.

CHAIRMAN GRIFFIN: Okay. Very good.

SEN. ROSENWALD: Not next week.

CHAIRMAN GRIFFIN: Okay. What else do you have? Right.

MS. YOUNG: For item number four, I think we are

all set, unless you wanted to take any of these audits off the table.

CHAIRMAN GRIFFIN: I have one question. You got to refresh my memory. On the first item there, has the litigation taken place?

MS. YOUNG: My understanding is it's ongoing for both of these, the top two bullets under number four. The litigation has not concluded yet for this.

CHAIRMAN GRIFFIN: Okay. Anybody have any other questions for the Director?

REP. ERF: So I just want to make sure that number five, which come to my mind is also sort of part of number four, that is still a topic for discussion?

MS. YOUNG: Yes. And we have auditors here that are prepared to discuss that topic, if -- if you'd like to do that now.

REP. ERF: Well, I don't know, does that make sense given that you really couldn't really start things until whenever?

MS. YOUNG: They wouldn't be available to start that work. But if you'd like to hear their perspective, we're prepared to do that today.

CHAIRMAN GRIFFIN: I'll take one more question.

SEN. LANG: So, again, I think the idea was that we wanted them to just start looking at what the scope would look like, right? Not necessarily to approve the audit, but to give us a sense of what the scope would look like and the timelines and those kind of things. And -- and -- um -- so that's -- I know we gave you that kind of task saying, hey, the next couple months we want to kind of see a scope, but we also recognize you're in the middle of pretty deep Special Ed. audit that time's going to be limited, so.

MS. YOUNG: Yes.

CHAIRMAN GRIFFIN: So I think we are ready. So open up the discussion. My apologies for coming last -- for having you people come last meeting, and we didn't get to it. We kind of lost our quorum, so.

MS. YOUNG: Okay. Great.

CHAIRMAN GRIFFIN: And then -- but we would appreciate it now.

MS. YOUNG: Sure. I'll invite Steve Grady, Senior Audit Manager, and Nicole Gaffen to come up and have a discussion about that. They are both currently working on the Special Education Audit. Thank you.

MR. GRADY: Good morning. For the record, I am Steve Grady. I'm a Senior Performance Audit Manager for the

LBA Audit Division. I'm the in-charge auditor for the Special Education Outcomes Audit.

NICOLE GAFFEN, Audit Manager, Audit Division, Office of Legislative Budget Assistant: Good morning. I'm Nicole Gaffen. I'm an Audit Manager with the LBA Audit Division also working on the Special Education Outcomes Audit.

MR. GRADY: We reviewed the Committee's meeting from February, looked at the video. We read through the minutes. We have some thoughts. We can field questions if you have them. Alternatively, we do have a little bit of structure as you may suspect from auditors to our comments.

We will note some of the discussions that will follow will have to be truncated to avoid delving into ongoing audit work. How would you like to proceed? Would you like to start with questions or would you like us to introduce some thoughts?

CHAIRMAN GRIFFIN: Please introduce the --

MR. GRADY: Very good. First off, we'd like to clarify exactly what you're looking for with respect to a local education agency audit when it comes to Special Education, both in terms of subject matter and timing. We'd like to describe some potential limitations. We also want to clarify existing Board of Education and Department of Education duties related

to the concepts and concerns that the Committee previously raised. We will rely on some extent to our February 2022 pre-scope summary and our August 2013 summary of the Department's duties.

Without the benefit of our current work, we would not be able to reliably audit local education agencies or their programs. We would have had little understanding of how the program actually works if we had not conducted an audit of the Department of Education. The Department of Education was and is the control point for Special Education state-wide. Understanding how state and federal duties interact will be essential going forward. And we gained a substantial amount of understanding during the course of this audit.

Some recommendations in an audit of a local education agency will likely also affect the Department, given the Department's duties. This is particularly important given the connection between special education, general education and the State's duty to ensure an adequate education is provided to all students, to ensure all students with disabilities receive a free, appropriate, public education, and to close gaps between the educational results of students with and without disabilities.

There will be some limits to our scope. An

audit of one or five local education agencies of the 174 LEAs that are out there, between six-tenths of a percent and 2.9% of all local education agencies will not yield results that can be generalized to all local education agencies. We cannot conduct any work, auditing or otherwise, of more than five LEAs in a five-year period. Audit findings would be specific to that individual local education agency, not to LEAs in general, and possibly not even the State's system of control, the State's machinery, if you will, which will likely become part of any LEA audit.

When selecting LEAs, the suggestion to have the Department play a role in that selection process from our perspective would be a non-starter. If the Department knows which LEAs are not efficient, the Department has duties to address that. The Department has the data necessary to understand over time which local education agencies and special education programs produced expected outcomes and results, and which did not, and how much was spent on each local education agency's program.

We will need Department data to make informed selections and for our audit work. But we would necessarily select the LEAs to be audited ourselves for several reasons; most importantly, to ensure our independence is maintained but

also to ensure auditability and reportability.

A little bit about deliverables and potential timing. We expect to provide the Department a draft report on the outcomes audit probably in June. We plan to provide the Department about six weeks to respond to that and provide any additional evidence that they may have not yet provided. We expect to produce a final draft afterwards with a public version being available as soon as practicable.

Audit closeout will follow and audit staff will be available thereafter sometime in the Fall of 2026. A scope statement for a local education agency audit will follow, possibly by the end of this calendar year or early into 2027. We would not expect to report on any Special Education audit any earlier than the end of 2027 at this point, depending upon the scope and other factors outside of our control. Each local education agency we audit would add to that timeline. The Department and the State's control framework findings would likely be a separate report as well.

We have some detailed comments. We did go through the entirety again of the minutes from the meeting in February, and we took a Q&A approach to some of the detailed questions that Committee raised. Comments generally fit into six areas: Program knowledge, understanding what the program

has done. Results and outcomes, understanding what the program has achieved. Cost, how much has been expended to achieve those results. Facilitation of improvement, what the Department of Education has done to improve results state-wide. Identification of students, how many students there are, and by what type of disability they are. And compliance, what the Department has done to ensure that non-compliant local education to agencies comply with laws, rules, and other requirements.

We will note current audit hits all of these topics at some level. Um -- we can start with a particular area, one of the six I just delineated. We can open it up to questions, if you like; but we can start with costs if you have more interest in cost. We can start with results and outcomes. We can start wherever you wish.

SEN. LANG: Mr. Chair.

CHAIRMAN GRIFFIN: Senator Lang.

SEN. LANG: So, again, I think the goal was obviously across all of our LEAs we have different success rates, we have different cost rates. We have those kind of things. Special education is a huge conversation that needs to be had in the Legislature, but absent local data and understanding how it's being implemented. I know DOE has some

parts of that, but where the boots meet the ground are data we tend not to get a lot of.

And so I think the goal here was, again, knowing that we have this huge special education at the Department level; but also, again, boots on the ground level in trying to find best practices -- um -- and what's going on. Why is one school's special education program so much cheaper than for two -- two children who have the same exact diagnosis, right? Those kind of things could be invaluable for us to understand as we start to craft a new special -- how we're dealing with special education in our school districts.

So I guess that's kind of, I think, what we had in mind was that kind of effort. Um -- and, again, I'm not exactly sure; but, you know, the six targets I think you have kind of get us to that -- um -- that you put on there. Those are probably the best succinct description I've heard of -- of -- of what's necessary for us to be able as legislators to make a recommendation or be able to move forward on looking at this big, gigantic issue and figure out how to -- what's working, what's not, what needs to change.

So, that's just my general comment, Mr. Chair. And I think -- I think you've summed up exactly what we want to look at it, but we want to look at it from a boots on the

ground level. And the only reason we -- I think we asked the agency to be involved is strictly because we want that three kind of points. Who are the people that are doing it, you know, cheap? Are they actually achieving their goal by doing it cheap or the moderates, the -- the middle class, the middle area, are they achieving, and then that high expense, right? And is there a ratio to money to the outcomes and those kind of things. So I think that's what the Legislature's kind of looking for so that we can have this much bigger discussion in the near future.

MR. GRADY: Sure. And to address that -- oh, please.

REP. WEYLER: No, when you finish with him, I have another question.

MR. GRADY: Sure. To address that, we will again note that the Department has long had duties to understand the questions you're asking. The Department has long collected data on the questions you're asking down to the student, individual student level. The Department of Education has granular results and outcomes data. The Department has routinely receives cost money -- estimates or actually expenditures from each LEA. The Department has that data already. Moreover, the Department has long had duties to

understand patterns and trends within special education state-wide. If you look at the Department's web site, however, you do not see publications related to that topic. Our current audit will be addressing that.

SEN. LANG: One last follow-up, real quick. So, again, I -- I think the idea of having an independent, not the agency itself doing that audit and makes it -- I'm going to hate to say this word -- more believable for everybody. And the reason we're asking you to do it, you know, the reason I'm asking is because, again, I think that if it's a -- if it's a Department level there's going to be naysayers and -- and -- and cheerleaders. And I'd rather have it come from the LBA who I -- is an independent, neutral, you know, auditor of -- of fact. So that's -- while the agency may have it, that's the reason why I'm -- I'm looking at it this way.

CHAIRMAN GRIFFIN: Representative Weyler.

REP. WEYLER: Two questions in my mind I don't think have ever been answered in all the years I've been watching this. Why are we keep increasing so many numbers? I mean, we've -- I saw one point over a 20-year period ten times the number on autism that were added, and the other one you pointed out earlier, success rates. Once you're in Special Ed, do they ever try to get you out of it? I don't think that ever

happens. It will be interesting what you discover. Thank you very much for doing this.

MR. GRADY: I will say to that point, we do have 800 pages that's going to try to describe that for you.

CHAIRMAN GRIFFIN: I think the consensus probably is you're right on target. So, keep doing it.

MR. GRADY: Okay. We can do that.

CHAIRMAN GRIFFIN: Does anybody -- Senator Rosenwald.

SEN. ROSENWALD: Separate -- a separate question. I think I had one of the members say that number five would be folded into number four. But the Mobile Crisis is part of the mental health system, not the developmental disabilities system. So I hope I misheard that.

CHAIRMAN GRIFFIN: I missed the point.

SEN. ROSENWALD: If we're going to do -- if we're going to fold the Mobile Crisis into a performance audit.

CHAIRMAN GRIFFIN: Yeah.

SEN. ROSENWALD: I hope it won't be into the Bureau of Developmental Services, because it's not part of that Bureau. It's part of mental health.

REP. ERF: So, she's actually referring to a comment I made, and I don't make my comments very clearly. My

concern was were we going to talk about it, not that I wanted to fold it --

SEN. ROSENWALD: Oh, okay.

REP. ERF: -- into a particular one of the things on number four.

SEN. ROSENWALD: Thank you.

REP. ERF: But wasn't something that we were still talking about and we did, so.

CHAIRMAN GRIFFIN: Thank you for clarifying.

REP. ERF: And might I just add or ask? It seemed like you were reading from notes. Is it possible you could provide us with those notes, because there was a lot to try to capture and you said a lot of beady stuff there.

MR. GRADY: Um -- I can look at it, right. Most of our working papers are not public, so.

REP. ERF: No, I understand; but if you could maybe summarize them.

MR. GRADY: Yeah, I can certainly come up with something.

REP. ERF: Great.

MR. GRADY: Give you an overview.

REP. ERF: You said a lot.

MR. GRADY: Only got into the top few pages,

too, so.

CHAIRMAN GRIFFIN: Well, we thank you for coming before us, both of you.

SEN. ROSENWALD: One more question.

CHAIRMAN GRIFFIN: Oh, one more question.

SEN. ROSENWALD: How many auditors are involved in this Special Ed. audit?

MR. GRADY: At present?

SEN. ROSENWALD: Yeah.

MR. GRADY: As the Director indicated, we gained two folks coming off of Doorways. So we now have six people working on it. We've had four working on it for the bulk of the life cycle of the audit.

SEN. ROSENWALD: So presumably when you finish the audit the summer or fall, six auditors will be freed up?

MR. GRADY: I expect there're going to be some folks that are freed up before that, right.

SEN. ROSENWALD: Okay.

MR. GRADY: We're in the process of writing the report now, taking all of that data, the 1.8 million student records, the results of the students, you know, over a 10-year period, all of that stuff is being summarized so that we can keep it under 800 pages or close to 800 pages.

SEN. ROSENWALD: We're excited.

MR. GRADY: Well, we're working on it. So when we get through that task, that step within the process, some of those folks are going to be available because we're just going to be, you know, editing the report and communicating with the Department about --

SEN. ROSENWALD: Thank you.

MR. GRADY: -- you know, their responses and whatnot. And we'll start feeding folks off of the audit onto other audits, these new audit topics waiting in the wings. And once we get the teams resized, we expect that the core team is going to pick up on the local education agency topic and continue into 2027 and beyond on that.

SEN. ROSENWALD: Thank you.

MR. GRADY: Yes.

CHAIRMAN GRIFFIN: Well, thank you both. So, Director Young, do you have anything else?

MS. YOUNG: I do not.

## 5. Other Business

CHAIRMAN GRIFFIN: Okay. Is there any other item to come before the Board?

ERICA LAYON, State Representative, Rockingham

County, District #13: {Inaudible}. Thank you. Thank you very much. Erica Layon, Representative out of Derry, third term who is when it comes to this topic feels like a brand new freshman.

Um -- I've, as you may know, I've been in Health and Human Services, Education, and now I'm in Executive Departments and Administration. I also stepped into the role of Chair in a Special Committee looking at due process in DCYF. Through those I've been able to see sort of from the periphery, not being on child and family law, but seeing a lot of the interactions. And, also, my temporary sub position on Finance, Division III, last year, I've had a little bit more insight into this process, and that has raised a lot of questions.

Just watching the process that we have, I know that our DCYF case workers play an absolutely vital role in the State and in protecting children. My question is whether the State is supporting them appropriately and what they may need for materials, whatever they may need for processes, so that they're able to be more efficient in dealing with our most vulnerable population, which are children who are in potentially unsafe homes -- um -- or other situations. And by looking at a comprehensive workload summary, as opposed to a caseload summary -- sorry, let me just pop this over to Senator

Lang. I thought you were gone for the day.

SEN. LANG: No, sorry. Stepped out of the room.

REP. LAYON: There you go. If you look at just a simple caseload study, you're looking at the number of employees and how many cases they're looking. That doesn't do anything around the complexity and the process of handling these. So looking at a workload study would give all of us more information as to where they're spending their time, what types of cases, if they're stuck doing paperwork and following up on those, or if they're actually making sure that these children are in the safest place for them. Uh -- by having this information, I do know that we added some case workers in a recent budget, but we want to make sure that we are doing this in the most efficient way possible. And, without this information, there's really no way to see if what they're doing is best furthering the safety of children in this state.

Some of -- some of what's been bouncing around and that we've heard, it seems from an outside perspective, is almost as if there may be easier cases that are dealt with in order to make sure that there are some successes. And it seems like there may be some sort of a disincentive to dig into the more complex cases, the ones that really have more harm and have parents that are better able to guard and push away the

State involvement, just because they may have a long history of interactions with the State or not.

And I -- I wouldn't expect that any of this shift to easy cases versus hard cases would be a conscious choice by anybody in this, because the only reason people do this often thankless job is to protect children. But if we're able to look at the workload and see what the requirements are, we can make sure that the incentives aren't gently pushing them to having a higher case close rate by dealing with parents who don't know their rights and don't know how to assert them versus those who may be harming children, but they know how to claim -- make each of these claims in order to make it more difficult to protect these children.

So I haven't asked for a workload study through a performance audit. I also have a more in-depth look at how to charge a real performance study committee to look into the performance of DCYF. That is the second page that has the bullet points. And so I'm not sure how much of this can be done in a performance audit, because doing this through LBA is far better than trying to have legislators try and figure out what's going on. Because often we end up running into different walls, different -- a lot of them are knowledge-based walls about how we would find this information, and just

getting that fair arbiter of the LBA to look into the process.

I'm looking also at to how much of this could be charged by a special committee of the Speaker or if it needs to be introduced legislatively; but I believe that our children, especially those in dangerous situations, are too vulnerable to wait. And if it's possible to get an audit in or get me guidance as to how we could get this information, I think that I would greatly appreciate that.

CHAIRMAN GRIFFIN: No. Well -- well, thank you for the comments. I -- I think probably you sat through enough of the meeting, probably had a flavor that our audit staff is kind of overextended currently, and we keep adding to it. So I don't really know -- I think your points are well taken for future audit. We might well consider that. I think that would be a great area myself, but I don't see it happening in the near future.

REP. LAYON: Okay.

CHAIRMAN GRIFFIN: Our -- our job really is to point the audit people to -- to areas that we believe need to be looked at, and this is certainly one of them. But at this point in time, given limited staffing and everything, I don't see how we get it done. But I'll open it up to the Committee for other comments. Senator Lang.

SEN. LANG: So, again, I -- I think it's appropriate -- it's an appropriate study for us to look at; but, again, just knowing -- I mean, I -- she sat through some of it. We're talking about a Special Education Audit that won't even come out till the end of next year for our staff and going on. So, while I'm happy to add this to our list of things, I also think that if you're looking for something to happen right away, chatting with the Governor's Office might be a way of getting an executive order for a commission to deep dive into this in a very short window of time. They're a little more able to jump in and -- and get Department of Health and Human Services to cooperate. But our timelines tend to be measured in months and years, not weeks and days, so.

REP. LAYON: Thank you, and that's a lot of the clarity that we need by coming here. Because a lot of times we'll talk about doing something legislatively. They'll say, "Oh, well, the easy process is to go through performance audit." And I appreciate the long knowledge that's on this Committee.

CHAIRMAN GRIFFIN: Well, thank you. Oh.

REP. WEYLER: We're offered kind of a two-step process. One would be the workload study that they could start with, with a little less involvement, and then that may lead to

the later with the more bullets that you have in the other -- other page that -- but that would be a good way to start getting an insight into the agency. And then we go with the advice from the audit staff on what other areas they would need to look at it. So, I think that would be a good start. Thank you.

REP. LAYON: Thank you. If I could just ask one other question. Uh -- within this process trying to get this information normally just is done through either a performance audit or a discussion with the Governor in order to give the access within the division or department; is that correct? Does the general, either legislation or performance audit or cooperation through the executive branch in order to have a review of those internal processes, and then choose to have that discussion, are those the three paths?

CHAIRMAN GRIFFIN: Yeah. I -- I think certainly the executive branch is a path, and performance audit is definitely a path; but it's -- it's -- it's a slow path at this point, based on scheduling and -- and the availability of people.

REP. WEYLER: The only one I recall with -- with less than cooperative was the Judicial Branch. It took two years to finally get -- admit that we had the right to audit

them. And, I mean, but most parts of the Executive Branch are not that difficult to get into. But the Judicial Branch, I mean, they, oh, Constitutional, you can't come near us, and all this kind of baloney but, you know.

SEN. LANG: So, again, I think your summary was accurate, right. So the EFA one we're doing was a legislative request for performance audit. So it was done legislatively. This Committee has the right to bring up topics to -- like we did with local special education. That was a -- this Committee saying we want to look at this. We want this data. But I also think that you could through the Governor's Office and, you know, requesting an executive order to create a Blue Ribbon Commission to look into with a clearly defined scope. She could very well do that herself within her Executive Branch. So I think you've identified all three targets.

REP. LAYON: I thank you, and then just as one follow-up. When it's a legislatively directed performance audit, does that sort of float it up to the higher part of the stack of performance audits to be done?

SEN. LANG: I would not say that.

SEN. ROSENWALD: If I could. The Fiscal Committee has to approve all performance audits. And the rule I think is that unless all ten members vote no, they're

automatically approved. So it's a -- it's a weird -- weird mathematical configuration to have the Fiscal Committee override the recommendation of this Committee.

REP. LAYON: Thank you. And then for further clarification, is that two different feeders, either a performance audit from here or a performance audit from the Legislature both go directly to Fiscal or does the legislatively one also come through this Committee?

SEN. LANG: They all come through this Committee.

REP. LAYON: Okay. Perfect. Thank you. Thank you for helping me learn. Um -- thank you very much.

CHAIRMAN GRIFFIN: Thank you.

REP. LAYON: I appreciate the education.

## 6. Date of next meeting and adjournment

CHAIRMAN GRIFFIN: The final item we have is the next month meeting and it looks like the first is a holiday, probably an extended holiday weekend. So I would think May 8th would be the date.

SEN. LANG: Fine with me, Mr. Chair.

CHAIRMAN GRIFFIN: Hm?

SEN. LANG: Works for me.

CHAIRMAN GRIFFIN: Same time, nine?

REP. WEYLER: I got a County meeting Friday, the 8th of May. Some other people from Rockingham County will be at that meeting. If you put it further in the day, we're going to meet at 9:30, orderly review in Rockingham County, but put it in the afternoon.

SEN. LANG: Friday at one?

CHAIRMAN GRIFFIN: Does that work at one?

REP. ERF: That works, I suppose. I have to leave at two.

CHAIRMAN GRIFFIN: Hm?

REP. ERF: I'll have to leave at two. I have a meeting at 2.

CHAIRMAN GRIFFIN: That's all right.

REP. ERF: As long as you're quick.

CHAIRMAN GRIFFIN: Yeah. I don't think we'll have as much as we had today, hopefully. Okay. So we'll make it the 8th of May at one o'clock. I've got to put that in here otherwise.

SEN. ROSENWALD: And is it going to be in the same room?

CHAIRMAN GRIFFIN: Hm?

SEN. ROSENWALD: Same room?

CHAIRMAN GRIFFIN: Yeah.

SEN. LANG: Going to be in this room, Mr. Chair?

REP. ERF: Hopefully. Depends whether on somebody's already here.

SEN. LANG: It will be at Granite Place. We can tell you that.

REP. ERF: Yeah, probably be at Granite Place.

SEN. ROSENWALD: All right. So somewhere at Granite Place.

CHAIRMAN GRIFFIN: Okay. Is there anything else to come before the meeting? Seeing none.

\*\* SEN. LANG: Motion to adjourn.

MALE VOICE: Second.

CHAIRMAN GRIFFIN: All in favor of adjourning?

Thank you.

\*\*\* **{MOTION ADOPTED}**

(Audio ended.)

C E R T I F I C A T E

I, Cecelia A. Trask, a Licensed Court Reporter in the State of New Hampshire, do hereby certify that the foregoing transcript is a true and accurate record of the official audio/video recording. I was not physically present and have transcribed said audio/video to the best of my ability, skill, knowledge and belief.



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