

III. RECOMMENDATIONS

This section of the report presents the recommendations of OPLA and OFPR regarding issues that merit further consideration by the 125th Legislature. These recommendations are presented in the context of our endeavor to provide legislators with useful descriptions of the programs administered by Maine Department of Education (Maine DOE) and accurate snapshots of the funding allocated to Maine DOE program accounts.

Recommendations and Discussion of Issues that Merit Further Consideration

Difficult budgetary decisions await the legislators elected to serve in the 125th Legislature. This report was prepared as a resource for legislators who have significant oversight responsibilities for reviewing the Governor's proposals for funding the programs administered by the Maine DOE. It is our hope that the Members of the 125th Legislature, particularly the legislators appointed to serve on the joint standing committee of the Legislature having jurisdiction over education matters, will have the opportunity to utilize these program summaries as the Legislature addresses the fiscal and policy issues that await their consideration during the 2011-2012 legislative sessions.

Our compilation of Maine DOE program funding information has revealed that there are a number of issues that preclude a comprehensive overview of the programs administered by the Maine DOE. We recommend that the following issues pertaining to Maine DOE programs funding warrant further consideration by the 125th Legislature.

1. Mapping DOE "Budgetary Program Accounts." We recommend that the Legislature refine the existing program account structure -- sometimes referred to by Maine DOE as the "chart of accounts" -- utilized by Maine DOE so that legislators and Maine DOE officials can work from a common "road map" when deliberating on budget initiatives related to Maine DOE budgetary program accounts. Developing such a "road map" can improve the capacity of the Legislature to hold the Maine DOE accountability for the funding allocated to department programs.

2. Alignment of DOE Teams with "Budgetary Program Accounts." Program funding information provided by DOE personnel for the DOE organizational structure "on the ground" in the fall of 2010 is somewhat different from the DOE organizational and program structure that was presented in the Governor's budget bills during the 2010-2011 biennium and authorized by the Legislature during the 124th Legislature. Part of the difficulty legislative staff had in matching expenditure data with approved allocations for the Maine DOE "budgetary program accounts" stems from the fact that the DOE Team structure has changed significantly over the last few biennia; yet these changes to the Maine DOE organizational structure are not aligned with the Maine DOE "budgetary program accounts" approved in the state budget. We recommend that a uniform and consistent system of budgetary program accounts should be developed that aligns legislatively authorized accounts with the programs, initiatives and other activities that the DOE identifies under its "chart of accounts" for "DOE Team programs."

3. Transparency of Program and Financial Information. We recommend that a uniform and consistent system for reporting financial information at the program and sub-program levels be established for the DOE. Legislators should have access to the same level of expenditure data as executive branch officials, particularly given that legislators have oversight responsibilities for the expenditure of public resources. Providing greater access to data in the Budget and Financial Management System would allow the Legislature to compare expenditure data with approved allocation data and should result in increased accountability for state spending.

In addition, transparency in reporting financial information is needed for the CDS System. Greater transparency can be achieved by requiring the CDS System to provide annual financial statements and / or an audited annual report for the operations of the State-level Intermediate Educational Unit that administer the CDS System programs, as well as the regional IEUs that comprise the CDS System.

4. Transparency in Reporting Personnel and Staffing Information for DOE Programs. Greater transparency and accuracy needs to be provided for DOE position counts, including how DOE personnel are allocated across DOE Teams to administer certain programs and sub-programs. For a number of DOE programs, DOE needs to clarify position counts and how sub-programs are staffed and funded. In addition, greater transparency and information is needed for the following personnel and staffing issues:

- Transparency in accounting for the personnel in the State-level Intermediate Educational Unit that administer the CDS System programs (Note: DOE reports that the State-level IEU has its own staffing structure apart from the Maine DOE).
- Transparency in accounting for the contracted service provider positions that are not included in the budget bills submitted to the Legislature. The 2007 DOE Program Evaluation Report presented to the Legislature contained three pages of contracted service provider positions, but did not indicate the amount of funding for these contracted service providers.

With respect to the assignment and distribution of DOE funding and staffing resources related to agency programs funded by Federal Expenditure Funds, we recommend that the DOE establish a cost allocation system, similar to a system developed by the Maine Department of Labor, for assigning program account funds and staffing resources to distinct sub-programs, activities and initiatives that may cross existing DOE Teams.

5. Collecting and Reporting of Performance-related Data. In conducting this study, it became apparent that the availability of performance-related data was largely dependent on the funding source for the program. If a program received federal funds, there was a greater likelihood that programs was required to submit performance reports to account for the use of funds. We recommend that the Legislature consider requiring the Maine DOE to provide performance-related data as part of their requests for State General Funds.

6. Further Review of Maine DOE Program Funding Issues. We believe that the compilation of program summary and financial information presented in this report will serve as a valuable resource for the 125th Maine Legislature, particularly the members appointed to the committee having jurisdiction over education matters. While the program summaries organized in the final section of this report can provide immediate assistance to legislators in upcoming budget deliberations, further review of these recommendations may also benefit legislators by improving their capacity to fulfill their legislative oversight responsibilities.

Legislation, including changes to Maine statutes, may be required if the Legislature is able to get a more firm grasp of the issues discussed above that merit further consideration. We recommend that the legislators appointed to the committee having jurisdiction over education matters in the 125th Legislature should consider introducing legislation to continue examining these important issues. One option available to the Legislature to continue this work and more fully examine some of these issues would be to direct the Maine DOE to prepare an updated Program Evaluation Report under the requirements of the Government Evaluation Act, to be reviewed by the committee during the Second Regular Session of the 125th Legislature. We believe that further consideration of these issues by the committee, including updated program and financial data contained in the next section of this report, can provide tremendous dividends for legislators examining Maine DOE program funding in the 125th Legislature.