

Members

Robert Harris
Susan Mandiberg
Jennifer Parrish Taylor
Adrian Smith
Jasmine Wright, Nonvoting

Executive Director

Jessica Kampfe



**Oregon Public Defense Commission
Subcommittee on Governance**

Meeting will occur virtually.
Monday, September 9, 2024
10:00 AM – approx. 11:00 AM PST
Via Zoom*

This is a public meeting, subject to public meeting law and it will be digitally recorded. Remember to state your full name for the record, as it is required for making a record of the meeting. For action items requiring commission approval, a roll call vote will occur, unless the chair directs otherwise. The chair shall read any motion requiring commission approval into the record before a vote is taken. We are mindful of everyone’s busy schedule, particularly public defense providers, and we will adhere to the agenda of business unless the chair directs otherwise.

MEETING AGENDA

Approx. Time	Item	Lead(s)
5 min.	Welcome	Commissioner Mandiberg
5 min.	Audit Committee Charter, Update on Progress	Commissioner Harris
10 min.	Executive Director, Evaluation Process	Commissioner Mandiberg
40 min.	Commission Best Practices Key Performance Measure	Commissioner Mandiberg
5 min.	New Business	Commissioner Mandiberg

*To join the Zoom meeting, click this link. <https://zoom.us/j/98868008783>

Please make requests for an interpreter 48 hours in advance for the hearing impaired, or other accommodation to opds.info@opds.state.or.us.

Next meeting: **TBD**

Meeting dates, times, locations, and agenda items are subject to change by the Commission; future meetings dates are posted at: <https://www.oregon.gov/opds/commission/Pages/meetings.aspx>.

MEMORANDUM

TO: OPDC Commission
FR: Susan Mandiberg, Chair, Governance Subcommittee
RE: Executive Director Performance Review
DT: August 29, 2024

Under ORS 151.213(6)(b), the voting members of the Commission currently appoint an executive director (ED) for a four-year term and have the power to terminate the appointment for cause.¹ This memo sets out the Committee on Governance’s proposal to fulfill this duty before by conducting and evaluating review of the ED’s performance before the end of the calendar year.

At the August Commission meeting, the Committee on Governance presented and discussed a memo explaining the rationale and details of the proposed review. To date, the Committee has received no feedback and assumes that the approach proposed in August is acceptable to the Commission. This memorandum presents the Committee’s proposal for vote as an action item.

I. STEPS IN THE REVIEW PROCESS

- | | |
|---|-----------------|
| 1. Commission approves review process. | September 18 |
| 2. OPDC Human Resources Director and OPDC Board Chair send introductory letter to potential evaluators asking for notice by 9/30 from those unwilling to participate. | September 19-30 |
| 3. Release of survey to evaluators through confidential dedicated Survey Monkey site with 2-week deadline to respond. | October 1- 15 |
| 4. HR Director and Commission Chair give progress report (with no details of survey results) to Commission at Oct. 16 meeting. | October 16 |
| 5. Board Chair and Human Resources Director present survey results to Commission at Executive session. | November 13 |

¹ “The voting members of the commission shall [a]ppoint, by a two-thirds vote, an executive director for a term of office of four ear. The term may be terminated for cause by a majority vote of the voting members after notice and a hearing.”

II. EVALUATORS

As noted at the August Commission meeting, we are basing our evaluation on the Guidance used by the executive branch for bi-annual performance reviews of directors of small, independent agencies. The Guidance sets out four categories of required evaluators: Commission Members, Direct Reports and Executive Team Members, Parties of Interest, and Peers. As the evaluation focuses on the Executive Director, not the agency or Commission, evaluators should have had significant personal interactions with Director Kampfe.

The memo presented in August explains the categories and the rationale the Subcommittee used to decide individual proposed evaluators. As set out in that memo, the Governance Subcommittee proposes contacting the following persons to be evaluators (a total of 40 evaluators if all agree to participate):

Commission Members. All 13 Commission members.

Direct Reports and Executive Team Members

Executive Team & Direct Reports

1. Emese Pefecto, Deputy Director
2. Eric Deitrick, General Counsel
3. Ernie Lannet, Chief Defender, Criminal Appellate Section
4. Lisa Taylor, Government Relations Manager
5. Ralph Amador, Chief Financial Officer

Direct Reports

1. Mary Shannon-Storey, Chief Defender, Juvenile Appellate Section
2. Scott Martin, Chief Audit Executive

Parties of Interest & Peers

Parties of Interest

Lawyers in consortia

1. Karen Stenard (Lane County, juvenile)
2. Michele Bartov, (Clackamas County, criminal & juvenile)

Lawyers with law firm contracts

3. John Lamborn (Harney County, criminal & juvenile)
4. Jack Morris (Hood River & Wasco Counties, criminal & juvenile)

Lawyers in nonprofits

5. Grant Hartley (Multnomah County, criminal & juvenile)
6. Shannon Wilson (Marion County, criminal & juvenile)
7. Robert Manske, (Coos County, criminal & juvenile)

Investigators

8. James Comstock (Multnomah County)

Peers

1. Lisa Sumption, E.D. Oregon State Parks (current mentor)
2. Helen Hirschbiel, E.D. Oregon State Bar
3. John Borden, OPDC's Legislative Fiscal Officer
4. Sen. Janeen Sollman, Co-chair Ways and Means Public Safety Subcommittee
5. Rep. Jason Kropf, Co-chair Judiciary Committee
7. Constantine Severe (Governor's public safety advisor)
8. Zach Gehringer (CFO for Department of Administrative Services)
9. Christy Monson (Oregon Department of Justice)
10. Meagan A. Flynn (Chief Justice)
11. Nancy Cozine (State Court Administrator)
12. Phillip Lemman (Deputy State Court Administrator)

III. REQUIRED QUESTIONS AND SCORING

The Guidance has performance metrics to which all evaluators are asked to respond.

Parameters with Scaled Responses

For eleven parameters, the evaluator is asked to respond using this scale:

- Unacceptable
- Acceptable
- Effective
- Very effective
- No opportunity to observe

There is also a space for textual comments

There are eleven parameters using the scale:

1. This individual promotes a customer service centered organization.
2. This individual collaboratively manages the resources they are entrusted with to achieve the best possible outcomes for Oregonians.

3. This individual embraces and leads through change.
4. This individual creates and fosters an environment where everyone has access and opportunity to thrive.
5. This individual owns and takes responsibility for quality of outcomes for Oregonians.
6. This individual operates with urgency, transparency, and accountability.
7. This individual is honest and transparent regardless of the situation.
8. This individual is consistent in communicating to their own agency what is happening at the enterprise level (executive branch).
9. This individual regularly shares what is happening within their agency.
10. This individual builds DEI organizational capacity.
11. This individual fosters and promotes an inclusive workplace environment.

Questions Requiring a Textual Answer

Three questions ask the evaluator to provide a textual answer:

1. What are some leadership strengths you have observed in this individual?
2. What are some leadership opportunities for growth in this individual?
3. Additional comments or feedback.

MEMORANDUM

TO: Governance Subcommittee

FR: Susan Mandiberg, Chair

DT: August 29, 2024

RE: Key Performance Measures (KPM) Best Practice Survey

The KPM Survey is part of the budget process, and OPDC is required to submit to the Legislative Fiscal Officer, not later than October 1 of each year, a report on our progress in meeting performance measures. ORS 291.110(1)(g). The questions on the survey (*i.e.*, the performance measures) are mandated, but the way responses are measured is not. We elected to give respondents the opportunity to rate performance on a scale¹ and to give textual responses.

The survey this year was sent to all thirteen Commission members; twelve participated. We sent the survey to fourteen agency staff who have worked with or presented information to the Commission; nine participated.

We have two decisions to make: (1) How to report the results to Legislative Fiscal. By the time of our meeting I should be able to report on how the agency or the PDSC (the previous Commission) handled this. (2) How to use the results to inform improving the work of the current Commission (the “observations” and “takeaway” comments below go to this issue).

The responses are charted beginning on the next page.

How to read the charts

- The numbers in parentheses (x/x) indicate the number of respondents who answered the question compared to the number of respondents who participated in the survey.
- The first numbers in the grid represent the percentage of respondents giving each type of value answer. The numbers in brackets [x] is the number of responses.
- “No opinion” is short for “neither agree nor disagree.”

Suggestions for interpreting the charts

- I am aware that people often struggle between “agree” and “strongly” agree, or between “disagree” and “strongly disagree.” For that reason, I included a column in which the two “agree” responses are merged and the two “disagree” responses are merged.
- In interpreting the responses to each question, I recommend focusing on the *number of respondents* as opposed to the percentages. Given the small sample size in each group (commissioners and staff), the percentages can be misleading.

¹ Strongly agree—agree—neither agree nor disagree—disagree—strongly disagree.

Question 1: Executive Director’s performance expectations are current.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	3	25.00	4	44.44
Agree	2	16.67	3	33.33
Total agreeing	5	41.67	7	77.77
No opinion	4	33.33	1	11.11
Disagree	3	25.00	0	0.00
Strongly disagree	0	0.00	1	11.11
Total disagreeing	3	25.00	1	11.11

Commission textual responses

- It is on the Governance Subcommittee's "to do" list to articulate expectations explicitly.
- We’re still working on that.

Staff textual responses

- I believe that the Executive Director is performing very well.
- I am unaware of whether performance expectations have been identified or are current.

Observations

About the same number of staff as commissioners agree that this measure is being met; however, more than twice as many commissioners as staff disagree that it is being met.

There is at least once way to explain the discrepancy. A majority of staff may believe that the ED is meeting *their own* performance expectations, resulting in concluding that the measure is being met. Most Commission members, on the other hand, may have answered based on their realization that the Commission has not set performance expectations for the ED. The textual comments seem to support this explanation.

Takeaway

The Governance Subcommittee needs to begin to articulate ED performance expectations. It might be useful to see the types of performance expectations articulated for executive directors of selected executive branch agencies with volunteer commissions. The following executive branch agencies appear to have volunteer commissions responsible for policy making and oversight:

- The Oregon Business Commission (agency: Business Oregon)
- The Liquor & Cannabis Commission (agency: OLCC)
- The Land Conservation & Development Commission (agency: Dept. of Land Conservation & Development)
- The Transportation Commission (agency: ODOT)

Question 2: Executive Director receives annual performance feedback.

	Commission (12/12)		Staff (8/9)	
	Number	Percentage	Number	Percentage
Strongly agree	2	16.67	1	12.50
Agree	1	08.33	2	25.00
Total agreeing	3	25.00	3	37.50
No opinion	5	41.67	4	50.00
Disagree	4	33.33	0	0
Strongly disagree	0	0.00	1	12.50
Total disagreeing	4	33.33	1	12.50

Commission textual responses

- We are currently setting up a procedure for this to occur.
- Do not know what former Commission did. We are planning to do this in the fall.
- The Governance Committee is in the process of putting that together.
- We’re working on that.

Staff textual responses

- I am not aware if the Executive Director receives annual performance feedback.
- I believe that the first one will occur in the near future as outlined by SB 337.
- I am unaware of whether performance reviews have been conducted.

Observations

A large number of commissioners and staff neither agreed nor disagreed that this measure is being met. Slightly more commissioners disagreed than agreed that the measure is being met, while most staff with an opinion think it is being met.

The textual answers support the conclusion that the change in commission and the fact that the annual performance feedback is in process made this a difficult question to answer.

Takeaway

We should conclude the ED performance review this fall, as planned, and compare responses.

Question 3: The agency’s mission and high-level goals are current and applicable.

	Commission (12/12)		Staff (8/9)	
	Number	Percentage	Number	Percentage
Strongly agree	2	16.67	3	37.50
Agree	6	50.00	2	25.00
Total agreeing	8	66.67	5	62.50
No opinion	4	33.33	0	0
Disagree	0	0.00	3	37.50
Strongly disagree	0	0.00	0	0
Total disagreeing	0	0.00	3	37.50

Commission textual responses

- Some are. But some aren’t.

Staff textual responses

- Sometimes are goals are changed by others, so it can make this difficult to manage.
- They are outdated and are being worked on with a consultant.
- The mission and goals are currently under review for updating to current climate and agency structure.

Observations

An arguably significant minority of staff do not think this measure is being met, while no commissioners had that opinion.

There are a number of possible explanations for this discrepancy. For example,

- Staff who are involved in the day-to-day work of articulating and meeting goals are probably more aware than commissioners of how difficult a task this is. The staff textual comments support this explanation.
- Commissioners may be unaware of specific goals shared by staff but not yet communicated to the Commission.

Takeaway

It might be advisable for staff to report to the Commission about which specific goals are creating problems and which goals are still in the formulation stage.

Question 4: Commission reviews the Annual Performance Progress Report [the Key Performance Measures; on Sept. Cmmn' mtg]

	Commission (12/12)		Staff (8/9)	
	Number	Percentage	Number	Percentage
Strongly agree	1	08.33	2	25.00
Agree	5	41.67	3	37.50
Total agreeing	6	50	5	62.50
No opinion	5	41.67	1	12.50
Disagree	1	08.33	1	12.50
Strongly disagree	0	0	1	12.50
Total disagreeing	1	8.33	2	25.00

Commission textual responses

- I know we're working on this now.
- Don't know what former Commission did. We are in the process of doing this.

Staff textual responses

- It is my understanding the commission has not reviewed the KPMs in the past.
- I do not believe that the current or former commission has reviewed an annual performance progress report during the last few years.

Observations

Twice as many staff as commissioners disagree that this measure is being met. Five times as many commissioners than staff had no opinion on this issue.

As with other measures, the transition to a new commission is likely affecting responses. It is unclear who among current commissioners and staff know whether the former commission reviewed the KPMs.

Takeaway: The fact that the Commission is reviewing the current KPMs should make this measure easier to evaluate positively in the future. The Governance Subcommittee should continue to engage in this task.

Question 5: Commission is appropriately involved in review of agency’s key communications.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	2	16.67	2	22.22
Agree	5	41.67	2	22.22
Total agreeing	7	58.34	4	44.44
No opinion	2	16.67	2	22.22
Disagree	2	16.67	2	22.22
Strongly disagree	1	08.33	1	11.11
Total disagreeing	3	25	3	33.33

Commission textual responses

- I think we are getting better at this but still have a way to go.

Staff textual responses

- Is this the role of the commission. The commission should set policy, assist with the strategic plan, ensure we receive adequate funding to maintain the services and the agency.
- I believe that the commission is starting to support the agency better but did not previously agree or review agency key communications.

Observations

While the numeric responses are relatively consistent across commissioners and staff, the textual responses may indicate that neither group is entirely sure what extent of review is appropriate.

Takeaway

The governance committee might want to work with the ED to articulate guidelines for both commissioners and staff on this issue. Topics could include defining “key communications,” the level or type of appropriate review, and the process for engaging in such review. Staffing availability and timing of communications will no doubt be important factors.

Question 6: Commission is appropriately involved in policy-making activities.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	4	33.33	1	11.11
Agree	6	50	6	66.67
Total agreeing	10	83.33	7	77.78
No opinion	1	08.33	0	0
Disagree	1	8.33	1	11.11
Strongly disagree	0	8.33	1	11.11
Total disagreeing	1	08.33	2	22.22

Commission textual responses [none]

Staff textual responses

The policies that have been reviewed by the commission, the commission has provided input and suggestions.

Observations

While a majority of both commissioners and staff agree that this measure is being met, twice as many staff as commissioners disagree. Lacking applicable textual responses, it is impossible to know whether those staff believe the Commission is too involved or not involved enough.

It is difficult to know whether the disagreeing staff are basing their response on an assessment of the current Commission or on an assessment of the previous commission (the PDSC).

Takeaway

It would be useful to know the following:

- The ED's sense of how, if at all, the approach of the current Commission differs from the approach of the previous Commission regarding involvement in policy-making activities.
- Does the agency have any policies that the current Commission has not been involved in developing or reviewing. If so, what are they?
- Reasons why the two staff members disagree that the measure is being met, if these staff members were willing to elaborate; they could certainly do this anonymously.
- What guidance the staff has been given regarding the Commission's role.

The governance committee might want to work with the ED to articulate more precisely the Commission's role in policy making.

Question 7: The agency’s policy option packages are aligned with their missions and goals.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	7	58.33	2	22.22
Agree	3	25	5	55.56
Total agreeing	10	83.33	7	77.78
No opinion	2	16.67	1	11.11
Disagree	0	0	1	11/11
Strongly disagree	0	0	0	0
Total disagreeing	0	0	1	11.11

Commission textual responses11

- I think we are getting better at this. I’m not sure what policies the agency has that we don’t know about, though.
- I’m concerned about the strategy of the POPS with our goals.

Staff textual responses [none]

Question 8: The Commission reviews all proposed budgets (likely occurs every other year).

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	5	41.67	2	22.22
Agree	7	58.33	6	66.67
Total agreeing	12	100	8	88.89
No opinion	0	0	1	11.11
Disagree	0	0	0	0
Strongly disagree	0	0	0	0
Total disagreeing	0	0	0	0

Commission textual responses

- Our ability to do this effectively would be improved by having a Budget Subcommittee that could look at relevant documents prior to Commission meetings.

Staff textual responses [none]

Question 9: The Commission periodically reviews key financial information and audit findings.

	Commission (12/12)		Staff (8/9)	
	Number	Percentage	Number	Percentage
Strongly agree	3	25	1	12.50
Agree	6	50	5	62/50
Total agreeing	9	75	6	75.00
No opinion	2	16.67	2	25.00
Disagree	1	8.33	0	0
Strongly disagree	0	0	0	0
Total disagreeing	1	8.33	0	0

Commission textual responses

- Audits are just getting going now. Plan for commission review is pending and ongoing.

Staff textual responses

- The commission should review key financial information -which there is a budget update each month. Audit findings I am not sure if these are presented and shared with the commission.
- There seems to be review of financial information but insufficient inquiry regarding that information.

Observation: A Budget Subcommittee (see Question 8) might also solve the issue raised here.

Question 10: The Commission is appropriately accounting for resources.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	2	16.67	0	0
Agree	4	33.33	6	66.67
Total agreeing	6	50	6	66.67
No opinion	5	41.67	1	11.22
Disagree	1	8.33	1	11.11
Strongly disagree	0	0	1	11.11
Total disagreeing	1	8.33	2	22.22

Commission textual response

- If you mean the commission as the Commissioners, I don't think this is being done very well.
- Not sure what "resources" this question addresses.
- I am uncertain whether all these questions refer to the commission (13-member body) or the agency (confusingly, also called the commission.) I think the Commission (body) is appropriately accounting for resources. I am frustrated by the unclear budget reports of the Commission (agency) and the way LFO is requiring the Commission to account for budgetary resources without considering cost-savings of one program relative to another.
- I am not sure what resources are referenced by this question or how the Commission is supposed to account for them.
- The Commission or the Agency? Seems not in the commission's role to account for all resources. That's agency's job.

Staff textual responses

- I believe the commission needs to fully understand our budget and our needs.
- The new commission is starting to take into consideration the budgeted resources in their decisions.

Observations

A significant number of respondents from both commissioners had no opinion or disagreed that this measure is being met. The non-agreeing responses might be due to a number of factors, some of which are supported by the textual answers:

- It is unclear what "resources" the performance measure is addressing.
- Given that "Oregon Public Defense Commission" refers to both the agency and the volunteer group, respondents may have been uncertain whether the question goes to the agency, the volunteer group, or both.

Takeaway

It might be useful for the Commission to develop (or obtain) a list of the various types of resources under the control of the agency, how the agency is accounting for the use of each, and whether and how the agency reports this accounting to the Commission.

Question 11: The agency adheres to accounting rules and other relevant financial controls.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	3	25	2	22.22
Agree	6	50	4	44.44
Total agreeing	9	75	6	66.66
No opinion	2	16.67	2	22.22
Disagree	1	8.33	0	0
Strongly disagree	0	0	1	11.11
Total disagreeing	1	8.33	1	11.11

No textual responses.

Question 12: Commission members act in accordance with their roles as public representatives.

	Commission (12/12)		Staff (9/9)	
	Number	Percentage	Number	Percentage
Strongly agree	5	41.67	0	0
Agree	7	58.33	6	66.67
Total agreeing	12	100	6	66.67
No opinion	0	0	1	11.11
Disagree	0	0	2	22.22
Strongly disagree	0	0	0	0
Total disagreeing	0	0	2	22.22

Commission textual responses [none]

Staff textual responses

- I have only observed this through the commission meetings.
- Work in progress but they are starting to act as commissioners in lieu of advocates for providers.

Question 13: The Commission coordinates with others where responsibilities and interests overlap.

	Commission (11/12)		Staff (7/9)	
	Number	Percentage	Number	Percentage
Strongly agree	2	18.18	0	0
Agree	4	36.36	4	57.14
Total agreeing	6	54.54	4	57.14
No opinion	4	36.36	1	14.29
Disagree	1	9.09	2	28.57
Strongly disagree	0	0	0	0
Total disagreeing	1	9.09	2	28.57

Commission textual responses

- I think the agency does this, and I think the Chair does this, but I’m not aware of “the Commission” doing this. Not sure who other than the Chair would do this, though.
- The agency coordinates with others. Other than the Chair, since 1/1/24 this Commission has not had the chance to coordinate with the legislature. We coordinate with providers only at Commission meetings, by and large.
- The Agency keeps commission at arms length too often.

Staff textual responses

- I cannot answer this question as I do not know if this is happening.

Observations

Ten Commissioners and staff agree that this measure is being met, however eight people either have no opinion or disagree. As the textual answers suggest, the large number of people not “agreeing” could be due to the performance measure being unclear in at least two ways:

- Does the measure apply to the agency, to the volunteer commission, or to both?
- If the measure applies to the volunteer commission, which are the “others” with whom should commissioners (other than the Chair) be coordinating?

Takeaways:

It might be useful for the Commission to know with which other executive or judicial branch agencies or entities OPDC staff coordinates on a regular basis.

It might be useful for the Governance Subcommittee to poll Commission members on whether they feel that “the agency keeps commission at arms [sic] length too often,” including suggestions for remedying the situation. Answers could lead to a discussion (which we really haven’t had) about the appropriate relationship between the volunteer commission and the agency.

Question 14: The Commission members identify and attend appropriate training sessions.

	Commission (12/12)		Staff (7/9)	
	Number	Percentage	Number	Percentage
Strongly agree	0	0	1	14.29
Agree	6	50	2	28.57
Total agreeing	6	50	3	42.86
No opinion	4	33.33	2	28.57
Disagree	2	16.67	2	28.57
Strongly disagree	0	0	0	0
Total disagreeing	2	16.67	2	28.57

Commission textual responses

- We could be better trained on the legislative process and the various executive branch agencies that we will have to deal with.
- We could benefit from additional training, for example, regarding the legislative process and the structure of the executive branch.

Staff textual responses

- I am not aware of specific training sessions for commission members to attend.

Observations

Twice as many commissioners than staff agree that this measure is being met. Similarly, twice as many commissioners than staff have no opinion.

Takeaway

Many commissioners may not be aware of training that would make our job easier or better informed, and we also are probably unaware of the types of training that the executive branch could make available. If more training is available, it would be useful to know how many commissioners would want to take advantage of each type.

Question 15: The Commission reviews its management practices to ensure best practices are utilized.

	Commission (11/12)		Staff (7/9)	
	Number	Percentage	Number	Percentage
Strongly agree	1	9.09	1	14.29
Agree	2	18.17	2	28.57
Total agreeing	3	27.27	3	42.86
No opinion	5	45.45	4	57.14
Disagree	2	18.18	0	
Strongly disagree	1	9.09	0	
Total disagreeing	3	27.27	0	0

Commission textual responses

- I am not sure what “its management practices” refers to with regards to the Commission, as opposed to the agency.
- "Its" seems to refer to the Commission, not the agency. I'm not sure what the Commission's management practices are. If "its" refers to the agency, I do not think the Commission has reviewed those.
- We're working on this through the governance subcommittee which is new.

Staff textual responses

- Is there a document for management practices for the commission? Does this document indicate what best practices are?

Observations

An equal number of commissioners agreed as disagreed that this measure is being met. A majority of staff had no opinion.

Again, it is unclear whether the performance measure applies to the volunteer commission, the agency, or both. Thus, it is unclear how each respondent understood the question. It also may be unclear whether the “best practices” referenced in the question refer to the measures in the KPM itself, or whether the question references management practices defined elsewhere.

Takeaway: The Governance Subcommittee should consider doing the following:

- Ascertain whether the “best practices” mean management practices other than those in the KPM.
- Clarify the management practices currently used by the agency.
- Seek out independent measures or guidance as to good management practices.
- Discuss whether the volunteer commission should adopt its own management practices and, if so, what those should be.