

Susan Mandiberg: Well, welcome everybody to a meeting of the Governance Subcommittee of the Oregon Public Defense Commission. We have three things on the agenda and they all may require some discussion. I think we only have an hour scheduled for this meeting, so I won't waste any time, and we'll get to the first one, which is Audit Committee Charter review and discussion. As General Counsel Deitrick has pointed out, the Audit Committee Charter needs to be approved both by the Audit Committee and by the commission. And so a draft was made on I believe it was June 24th by the Audit Committee. General Counsel Deitrick and I have proposed some changes. The draft that was posted for today's meeting is the one with the changes. And so at some point, I would like to go through and summarize what those proposed changes are. And then if this committee approves those proposed changes, I think the next step is for it to go back to the Audit Committee, but Commissioner Harris is the one who is supposed to be leading this discussion, so I'm going to turn it over to him.

Rob Harris: Thanks, Chair Mandiberg. That is largely correct, give you a little additional background. The Audit Committee meets every three months, so four times a year quarterly. The last quarterly meeting was in June. At that time, we took up the charter, approval of a charter. There'd been a charter in the past. It read sort of like a three-page document, narrative sort of thing. And it was prepared, I don't know how long, probably a year or two earlier. I think it was by Mr. Latham prepared that along with Mr. Hutzler, the chair of the committee. Scott Martin, who is here today, who is our internal auditor, was able to take that document and reformatted it, and we reviewed that as a charter.

As the Audit Committee reviewed it at our last meeting, like say for a few hours, we made some changes to it, reformatted it, and we passed it at that time, approved the revised charter. Mr. Deitrick and Chair Mandiberg have looked at it, made some changes, some suggested changes, some edits to it. The document you see that we received has both in red the changes that the Audit Committee approved to the prior charter, as well as the edits that Mr. Deitrick and Chair Mandiberg made. And they're both in red, so you sort of can't tell what's what, but I understand Chair Mandiberg is going to go through and sort of point out the ones that they had made. The ones that are red that they did not make are the ones that the Audit Committee already approved, if that makes sense. So, I'm going to let them walk through it.

But yes, we believe after looking at the administrative rules that the next step to this process will be review and approval by this subcommittee of all the changes to the prior one that was approved, and then handing that back to the Audit Committee to see if they accept those changes. And then we will re-vote on this at the Audit Committee, and then it will be passed up on to the commission also, I'm assuming with a do-approve recommendation from this subcommittee. So, that's where we're at now. So, I will hand it over to Mr. Deitrick and Chair

Mandiberg to go through these changes so they can identify which ones are which. So, I don't know whether Mr. Deitrick or Chair Mandiberg wants to take the lead in that discussion, but I'm simply going to hand that off to one of you, thanks.

Susan Mandiberg:

I'll go ahead and do that since I've gone over them, but I really tried hard to get my track changes to do it in a color other than sort of red, and for some reason I couldn't make it work. So, the first proposed change that – I'm just going to use first names, I can't stand all of this formality – first proposed change that Eric and I made is on section C5, which I don't see page numbers on this, it's on section C5. And here is where it's dealing with the Internal Audit Plan, and it allows the Audit Committee to provide input and approval. So, "and approval" is what was put in there by the Audit Committee. What we suggested, the change we suggested here, is just to set out what the Internal Audit Plan does so that it's clear that it's different from the Audit Committee Charter and so on and so forth. So, we just added the phrase, which establishes audit priorities, goals, and objectives and a three-year auditing work schedule. So, we just suggested that, which establishes audit priorities. I believe that was something that we put in just to clarify that, it's just a knit.

But the bigger change was on C6. So, the draft that came from the Audit Committee said that the Audit Committee would take appropriate action under certain sorts of conditions, and we suggest changing that to "report concerns." And the theme that I'm going to get to with this and several of the other suggested changes come from our reading of the public meeting laws. So, when the commission adopted new bylaws and included the Audit Committee in those bylaws, the commission was very concerned that the Audit Committee not be subject to open meeting laws, given how sensitive some of the discussions are. And so the public meeting laws define governing body as members of any public body, which consists of two or more members with the authority to make decisions for or recommendations to a public body on policy or administration.

And so our fear was that if the charter authorizes the Audit Committee to make decisions for or recommendations to the commission, their meetings might then be open to public meeting laws. And so the changes that we're suggesting are changes that we hope make it clear that the Audit Committee is not making decisions for the commission and is not making recommendations to the commission but is merely providing information to the commission, and the commission would then make the decisions and adopt recommendations of its own. For example, the Governance Subcommittee could make recommendations to the commission because we are subject to open meeting laws. And I see Rob's hand is raised.

Rob Harris: Yeah, excuse me, Chair Mandiberg. The only thing I wanted to add is actually, I think the first change is the last line to the very first introduction paragraph, which sort of sets up what you're saying – the Audit Committee is not a governing body.

Susan Mandiberg: Oh, it is, you're right. That is the first change.

Rob Harris: But that's one of the themes you were talking about.

Susan Mandiberg: It is. Thank you.

Rob Harris: And just saying that doesn't make it so, which is why we say it and then you have to change it, right?

Susan Mandiberg: Exactly, right. So, this is that first one that I'm recommending about. So, provide written notification. And then in C8, it's another one, inform the commission chair and executive director in writing of any concerns regarding the job description. Similarly, C9, report any concerns to the commission. And then in C13, report in writing to the commission and the executive director any instances of non-compliance, as opposed to the language that we got was "follow up on." We thought "follow up on" was a little bit vague and that it needed to be more specific in terms of how to follow up. Similarly, on 15, report internal and external audit findings, etc.

Getting down to C20, again, report to... Hmm, that's not in writing. Getting down to paragraph E, where we're talking about appointment terms and successions. There were a couple things here that we thought, again, in the same theme, needed to be passed more to the commission than to the Audit Committee itself. So, one was whether there are... Right now, it has it in the charter that there are two-year terms. The proposal that we got from the Audit Committee was that external members could serve consecutive terms. And originally it said "with no limits," we thought there should be term limits. And originally, I believe it said that the commission would approve extensions of external members to additional terms without any input from anyone else. And we believed that the...again, to make it clear who was making the decisions, we believed that the suggestion by the commission, or by the committee rather, that external members' terms should be extended should need to be ratified by the commission in order to make it clear that it's the commission that's in charge of that decision.

And then finally, the other change that we suggested, there was a sentence at the end of the first paragraph in section F that, frankly, neither Eric nor I understood. And so what we have here, "A quorum is composed of a majority of the external committee members," is what we think that last sentence was

trying to convey. But if we're wrong, please let us know. So, that's pretty much the sum of what we're suggesting be different.

Rob Harris: So, on section F, what did that sentence say before you changed it?

Susan Mandiberg: What did that sentence say before we changed it? Let me just find the original one that I have here, hold on. The sentence said, "A quorum is composed of a majority..." Hmm. Let's go back, hold on.

Eric Deitrick: I found it here if you...

Susan Mandiberg: Yeah, go ahead.

Eric Deitrick: Originally it said, "A quorum is composed of a majority of the committee members of whom a majority are external members." And so we thought there was some desire to make sure that it was a majority of external members, but we just kind of rephrased it.

Rob Harris: Yeah, I think that's right. Okay, thanks.

Susan Mandiberg: Yeah. Thank you, Eric. So, any reaction, either Rob or Mr. Martin? I see you're present and we would love to hear your reactions if you have any.

Rob Harris: Scott, do you have anything?

Scott Martin: I don't. I've looked through this. I think it's consistent with the intent of our changes. So, I don't have any, nothing really is standing out for me. So, I appreciate it.

Rob Harris: The only questions I had were on section E, which is appointment terms and succession. I think Eric and I talked a little bit about this, and maybe I was thinking not correctly when Eric and I talked. According to this, charter committee members can serve more than two terms. It's just at the approval of the commission. Is that correct? It's not a term limit here then. It's just that it has to be approved?

Susan Mandiberg: Yeah. The way it reads now is that the Audit Committee would recommend extension to another two-year term, and that would just have to be ratified by the commission. Again, I think it would be unusual that the Audit Committee's recommendation would not be approved, but it's a question of who has the final say, who's in charge.

Eric Deitrick: Yeah, and as Rob and I were talking about this yesterday, I hadn't really thought of the two-year term piece. It takes a while to learn our business practices for

someone who's not familiar with them. And as Rob pointed out yesterday, they meet four times a year. Both of us didn't know what kind of the best practice is for how long this type of term should be. But I think the way it's written now does certainly allow someone to stay on longer than two years, just subject to the approval of the commission, which...

Susan Mandiberg: I think the other part that was also, I'm sorry, the paragraph after...the two paragraphs after, about removing an Audit Committee member. Again, the original draft that we got said that the Audit Committee itself would decide whether a member needed to be removed. And then we also needed to have, we decided, or we're suggesting, that removal of a member should also be subject to ratification by the commission. So, those three paragraphs. Just a question of, again, making sure that the Audit Committee is not making the kinds of decisions that would make it subject to the public meeting laws. Scott Martin, I see your hand's up.

Scott Martin: Thank you. Yes, just one concern on item six with regard to limited resources potentially. Could we include a provision for engagement with management to resolve that issue before speaking with the commission?

Susan Mandiberg: Which item are you talking about? I'm not clear.

Scott Martin: I believe that's item C, just a second here, I believe it's C6.

Susan Mandiberg: C6.

Eric Deitrick: Yeah, originally it said "take appropriate action."

Susan Mandiberg: Right.

Eric Deitrick: We changed it to "notify the chair." And I hear what Scott's saying is just clarifying that before you take that step, engaging management.

Susan Mandiberg: And who's management?

Scott Martin: Management would be the director or potentially a lower-level manager who may have some control over a resource.

Susan Mandiberg: I don't have any problem with that. Jennifer, do you have a problem with that?

Jennifer Parrish Taylor: No.

Susan Mandiberg: Rob, do you?

Rob Harris: No. I mean, I...

Susan Mandiberg: That makes sense.

Rob Harris: I think if there's a concern that Scott has about what his scope of authority would be because of this particular thing, I suppose you could put something in there, but nothing prevents auditor from engaging in management to resolve any issues prior to notification to the commission, something like that. But I don't read this as preventing you, Scott, from engaging with management or the executive director in trying to resolve these issues, because honestly, you couldn't inform the commission about what the issue is unless you had engaged in that process.

Scott Martin: Fair enough. I just wanted to make sure that opportunity was preserved.

Susan Mandiberg: Yeah. I mean, I'm trying to understand. So, if the chief audit executive... Is that you, Scott? Or is that the chair?

Scott Martin: The chief audit executive is myself...

[Crosstalk 00:19:27]

Susan Mandiberg: Is you, right. So, notify the commission chair in writing, provide this written notification, internal audit function. So, maybe this one just needs to be redrafted completely. Because as I read this, the Audit Committee. Who would be placing a scope or resource limit on the internal audit function? Where would that limit come from?

Scott Martin: That may be a limitation on the access to resources of, say, data or people.

Susan Mandiberg: So, who would be placing that limit?

Scott Martin: That would be a manager.

Jessica Kampfe: Can I give an example?

Susan Mandiberg: Yeah. Thank you, Jessie.

Jessica Kampfe: All right. Let's say Scott wants to do an audit that's been approved as part of the Audit Committee's plan, their audit plan. And he goes to a manager, like the accounts payable manager, and says, "Hi, it's on my audit plan to audit accounts payable," and she says, "We're slammed right now. I can't give you all of the access to the resources that you're looking for in terms of people and time today, but I could do that in six weeks." So, that's a limit, a resource limit that's

been put on that audit. And that's something that doesn't necessarily need to go to the commission unless it's creating a big problem. Because Scott could say, that's fine. You know what? I've got a bunch of other work I can do to ramp up for this. And in six weeks, I can engage with your employees on it. So, it's actually pretty common that there are those types of balances that have to be struck when going through an audit function, and it's something that gets worked out at a lower level.

Susan Mandiberg: Okay. Got it. So, here's my confusion with C6 now that you've explained that. The C in general says, "The committee and its members shall." So, it's the Audit Committee and its members shall notify the commission chair. But your example wouldn't involve the Audit Committee at all. So, Scott would go to a manager. The manager would say, "We can't do that right now," and then Scott would go to you, the executive director and say, "Hey, I really need this. Get this manager to give it to me." The Audit Committee isn't involved at all. So, what you just described is a completely internal agency interaction. So, I don't understand why there has to be something in here about the Audit Committee's ability to go to you. I mean, would Scott need the extra heft of the Audit Committee in order to get the executive director to deal with the problem? So, it seems to me that the Audit Committee would need to get involved only if the limit was coming from someplace other than a coworker in the agency. Or am I misunderstanding what's going on here?

Eric Deitrick: No. Susan, I agree with the way you're phrasing it because this document is about the Audit Committee itself, not Scott. And so Scott still has all the inherent authority in his job description to notify managers or the director.

Susan Mandiberg: Absolutely. So, the Audit Committee would only need to get involved... I can't imagine this would happen, but let's just say worst case scenario. Scott went to Jessie and said, "Manager X is not cooperating with me," and Jessie said, "Too bad for you." [Laughter] Then maybe Scott would need to go to the Audit Committee to get the Audit Committee to lean on Jessie [Laughter] to help Scott out. I mean, that would be the sort of situation where the Audit Committee would have to get involved. Or let's say Scott needed information from some source outside of OPDC, and that source outside of OPDC was not cooperating. Then possibly Scott would need the Audit Committee to help do something about it.

Rob Harris: So, I see this as a documentation issue. And so if there's a loggerheads, and this frankly could even be like somebody outside this agency itself not providing a resource. I don't know exactly what that would be. Maybe the Legislature is not providing a second audit person or something, who knows? But it's a way for the Audit Committee to say, "We've made an independent determination that there's a resource problem here that's stopping us from doing our job." We are

then giving it to the commission because the Audit Committee doesn't have any power to really do anything about that resource limitation, but the commission might.

Susan Mandiberg: Well, that's why I think it's good the way it is because if it's just a question of something internal to OPDC, it would never get to the level of the Audit Committee having to deal with it. It would be resolved internally. And so only if it can't be resolved internally that the Audit Committee would have to then come to the commission and ask for help.

Rob Harris: Right, and I as an Audit Committee member would like to have something written from Scott that says, "This is why we need to document this problem and forward it to the commission." So, I think I agree with you, Susan. I think this is fine the way it is. I think it's more of a process documentation issue.

Susan Mandiberg: I think so. And the Audit Committee could certainly, as part of the internal audit practices that it has the power to adopt, could certainly have something in there about asking Scott or whoever's in Scott's position to provide documentation about problems, right? That would be something they could do. Scott, your hand's up.

Scott Martin: I've heard the discussion and I agree. I appreciate the interpretation. I think actions later will follow for the internal audit charter itself, and that's where that sort of discussion can be documented for the mechanics that you just described. So, I appreciate that.

Susan Mandiberg: Exactly. I agree completely.

Scott Martin: Yeah, thank you.

Susan Mandiberg: Yeah, for sure. Thank you. So, I think this is ready to go back to the Audit Committee for its action, and then once the Audit Committee has been able to take a look at this and either approve it or suggest other changes, it can come back here and then we can forward it on to the commission. Everybody okay with all that? Jennifer, Rob, me? I'm okay with it. All right, great. Thanks very much. Thank you so much, Scott, for taking time out of your, I'm sure, unbelievably busy day to help us with this.

Scott Martin: Oh, you're very welcome. Thank you for your thoughtful inputs and oversight.

Susan Mandiberg: You certainly don't have to stay for the rest of this if you don't [Laughter] want to. Great, the next thing on here is... So, this executive director review situation, we think – and I know we've discussed this at our last meeting – it would be a



good idea to do an executive director review. Oh, Jessie wants to know if it would be helpful.

Jessica Kampfe: Is it helpful for me to be here for a conversation about executive director review? I'm happy to be here if it's supportive, but I don't need to be if you all don't need me here for it, or don't want me here for it.

Susan Mandiberg: I value your input and I don't think we're going to discuss anything about you specifically. I think we're going to be discussing the process. Rob or Jennifer, do you have a different take on that?

Jennifer Parrish Taylor: No, I'm fine if you want to be here.

Susan Mandiberg: If you don't want to be here, [Laughter] that's okay too. We don't want to force you.

Jessica Kampfe: No, I'll be here if I can be a resource on process stuff, I'm happy to.

Susan Mandiberg: Yeah, I think that's all we're going to talk about. So, we thought it would be useful at our last meeting to get an executive director review done before we move to the executive branch so that there's sort of a baseline. But at the same time, we thought, or at least I want to suggest, that we adhere as closely as makes sense to the executive department's ED review template so that anything we do will be understandable to the executive branch when we get there.

So, what I have put in this memo is an adaptation of their template. And so what is in their template seems to anticipate evaluators who have had personal interaction, face-to-face direct contact with the executive director. And so that includes other agency directors. There are three that we've identified. It includes legislators and legislative staff. Again, there are three that we've identified. It includes people from the executive branch that our director has already had contact with, and we've got six of those. And people in the judicial branch with whom she's had a lot of direct contact, and there's five of those.

What I've got in the memo is a chart that goes through the questions that might be presented to that set of evaluators. And again, it also includes people who are direct reports or other important team members for Jessie and so forth. The questions on that chart that are in red are so-called required questions on the executive department template. The questions that are in black typeface are other questions that we might want the evaluators to comment on as well. We could obviously add more to those other questions or reduce the number of them. But if we're going to adhere to the template, those required questions are questions we have to ask.

That list of people doesn't include people who we would consider as stakeholders. In other words, it doesn't include our providers and our contractors. And Jessie has had, as I understand it, relatively little face-to-face direct contact with many, if not most of our [Inaudible 00:33:15]. They tend to interact with other people in the agency. I have a list on page two of the memo of providers with whom Jessie has had direct personal contact since becoming executive director, other than those on the commission. And there are 13 people on that list. There are also a number of others who were members of group meetings, and I don't have their specific names.

We also need to decide whether we're going to put together a list of providers who we want to include in an evaluation. If so, what categories of providers we want to include, how many we want to include, how to go about doing a sortition to figure out which specific individuals we want to include, and then what questions we might want to ask the providers who would be doing evaluations. So, those are the sorts of issues that come up.

Separately, there are mechanical issues. The HR department in OPDC is probably the correct group of people to help put this together. They have access to SurveyMonkey. It can be put together through that. And then there's the question of getting this through the commission and approved by the commission in time to do it all before the first of the year. So, this is a big lift, and I'm going to stop talking and see what reactions, Rob and Jennifer, you might have to all of this.

Jennifer Parrish Taylor: I mean, 360 evaluations are pretty standard. I think when it comes to the providers, I would look at a mixture of geography and keep it to the directors of those offices and, yeah, not make it overly cumbersome in terms of how many people, but you should be representative of the whole state.

Susan Mandiberg: Yeah, at our last meeting, and I think sadly, you weren't there, Jennifer, we agreed that it should be geographically diverse, that it should also be diverse in terms of including some consortia people, some private nonprofit people, some individual providers, as well as adult clients, juvenile clients, and maybe include investigators who contract separately with the agency. And the question was, should it be everybody? If not everybody, how many, and how they should be chosen. It was this sort of sortition approach that we discussed. Jessie.

Jessica Kampfe: When we're talking about the provider community, I think it's important to think about what we want them to evaluate. So, the provider community is going to have a lot of information about how the agency is performing, and ultimately, as the director of the agency, that's a reflection on my job performance. So, I think it would be pretty easy to pick a group of providers that could give feedback on how the agency is performing, but if you're trying to find

people that interact directly with the executive director and talk about sort of the leadership qualities there, because of the nature of the work, the vast majority of providers are interacting with different departments within the agency, and they're not directly interacting with the executive director.

So, I think it's really important to just kind of figure out from this group, what is it that you want to assess? Is it overall agency performance, or is it director, sort of leadership skills? Because that's going to lead you in different directions in terms of who you want to do outreach to, and it's much narrower group of folks that might have answers on the leadership side than on the agency performance side.

Susan Mandiberg: I agree, which is why I included that list on page two of the 13 people who you indicated that you had had direct contact with. And I think that if we limited it to that group of 13 people, we would also have to be very clear in the questions we ask them to answer, right? So, make it clear that they were evaluating the executive director and not the agency. We might at some point want to do an evaluation of the agency, but that would be a separate thing, I think. Rob?

Rob Harris: Thanks. Actually, I wanted to agree with both of you on that because right now there's definite differences of opinion amongst the provider community, as to a couple of things – the direction, the policy, the execution – that doesn't necessarily have much to do with Jessie's ability or quality of leadership. So, I think that is where we have to be careful when we talk about providers. Now, I guess the counter side to that is if Jessica's not communicating well with those people, that they haven't had the chance to have face-to-face communication maybe, I guess there's that flip side. So, I think that is probably something to consider as well.

And I don't know whether it would make sense to send out some sort of a communication, "If you've had direct contact with Jessica over the last two years, would you like to be put in the hat?" or something. That way, you would at least get the folks that have had direct communication with you, Jessica. So, that would be maybe one way to look at that. But I think we need to be somewhat careful and make sure these questions are clarified. And I think people will answer honestly, I hope, "This is my perception of Jessica versus the agency versus someone in the agency." So, I think that this is going to be a really tough thing when we're bringing in the provider community for feedback, just because the divisions within the provider community.

Susan Mandiberg: Jennifer, any reaction to those two comments?

Jennifer Parrish Taylor: I think there are two things that we should do, which is assess the performance of the executive director, but then also assess the performance of the agency. I

think we need to figure out what is that Venn diagram, and I think that's kind of been spoken to in terms of, of the provider community, who does it make sense to actually be included when evaluating the performance of the executive director? And I guess in those instances, I look to peer-to-peer equivalence because those tend to be the folks that you're going to interact most with. I think there is a time and a place to, like you said, assess the agency as a whole. And I think the question around like have you tried to interact with or reach out to the executive director can be asked there. I don't know if it's necessarily needed as part of the performance review, if that makes sense.

Susan Mandiberg: "There" meaning when you're reviewing the agency.

Jennifer Parrish Taylor: Yeah. I think when we are asking or when we're doing a process around reviewing the agency, I think we can ask questions around access to the ED where it's appropriate. I don't think it necessarily pertains to the performance of the ED, though I am in agreement that how well the agency is doing is a reflection of the leadership of the ED. But I think you can suss those things out through a performance eval as well.

Susan Mandiberg: So if I'm hearing... Oh, Eric, sorry.

Eric Deitrick: No. Thank you, Susan. I just wanted to clarify. At least structurally the way I see it is given the commission's oversight function, it's kind of always evaluating the performance of the agency, giving direction to the agency, gathering information about the agency. But the director review, and I think that's why HR needs to facilitate this, it really is a performance review of the director and not the agency itself. No, that's it.

Susan Mandiberg: Here's what I'm going to suggest. Given the time constraints, so here are the time constraints – we need to have something to show to the commission at its August meeting, a draft of the kind of review we want to do and let the commission have at it. Not as an action item, but as a discussion item. And then at the September meeting, we need to have it as an action item so that immediately after the September meeting, we can get the ED evaluation out to the possible evaluators.

And one of the steps in doing that is to contact them, and I guess this could be done beforehand, and say, "We're going to send out an evaluation. It's going to have this many questions for you to answer. This is going to be the deadline. Are you willing to commit to doing it?" And then get that out as soon as possible after the September commission meeting so that it can be done and then reviewed again by the commission in December, or I think November's probably too soon, but at least so that it can be done, and we have it back at least ready to be reviewed, prior to the first of the year.

So, what I'd like to suggest is that we put aside for the time being a commission review by providers because there's no particular timeline that we have to follow for that. That, I don't think, has to be done by the first of the year. Part of the reason I think that an ED evaluation has to be done by the first of the year is that starting in January, the Governor has the power to hire and fire the executive director. And the Governor will not have the power to get rid of the agency [Laughter] after the first of the year. So, I think we should put off a provider review of the agency – which I think is super important, but there's not the same timeline – and concentrate on a review of the executive director by the variety of categories of people who've had direct contact with her. So, do you have a reaction to that suggestion?

Rob Harris: I agree.

Susan Mandiberg: Okay.

Jennifer Parrish Taylor: That makes sense to me.

Susan Mandiberg: Okay. So, the two things we have to do, the two things we really need to do, I think, at this point is decide whether there should be questions in addition to the so-called required questions on this template. And decide whether to include the stakeholders who we know have had direct contact with Jessie. So, let's take the second question first. What do you think about including stakeholders with direct contact with Jessie? Yes or no? Rob?

Rob Harris: I think that that's fine as long as it reflects the actual makeup of the different types of providers because you will have a lot more confidence in this if you do that. I recognize many of these names here, honestly, but quite often I don't remember whether they're through a nonprofit or they're a private bar for folks.

Susan Mandiberg: So, not to take up time now, Jessie, if you have time, I know you're away, but if you had time in the next week or so, or somebody else on your staff could look at that list on page two, there's 13 names, and I guess 2 of them are investigators, so you don't have to do those because they're direct contracts. The 11 names of the other people, if somebody could identify for me who they are, what their institutional affiliation is.

[Crosstalk 00:48:34]

Jessica Kampfe: That's no problem. I could easily do it. And I will just say that some of them have changed since I had contact with them. Number seven, number three, and number two, I think two and three maybe have retired, and number seven has

changed employers. But I'm happy to say when I had contact with them, what roles they were in, and where they're at now.

Susan Mandiberg: Thank you. Appreciate that.

Rob Harris: And the geography as well, Jessie? Thank you.

Susan Mandiberg: Jennifer, do you want to include these folks?

Jennifer Parrish Taylor: Yeah, that makes sense. I guess my only caution would be is let's not make it too wieldy in terms of tons of people because we also have to think about someone's going to have to synthesize all that information that comes in, and so we need to be able to build that time in as well.

Susan Mandiberg: So, most of these questions get answered on I think it's a five-point or four-point scale. This will be sent out on a SurveyMonkey. The things that are done by the five-point scale are easily... It's just a computer thing. There's a couple of questions that require textual answers, and you're right, those will require someone to actually read them and evaluate them. And we can keep the textual answers to a minimum. I agree with you, it shouldn't be unwieldy. So, the next issue is, do we want to ask questions in addition to the so-called required questions that are included with the template? And there's a bunch that I have recommended that we include. And then I've given a summary of how many questions that would be for each category of evaluator.

What would be really useful to me, and I need to stop the discussion now because there's another item on the agenda, Rob and Jennifer, if you could go through those non-required questions and send Eric just a brief memo of which ones you think we should include, which ones you don't think we should include, and any additional ones you'd like to recommend. If you could get that to him by Monday, then I can put together a draft to send out to you all through Eric for some review before we need to decide what to give to the August commission meeting. So, if you could get that to me by Monday, I would really appreciate it, if that's possible. Just read through them and say, yes, no, yes, no. Here's another suggestion. If you want to give a reason for saying no, that would be helpful, but it shouldn't take more than 5 or 10 minutes. Okay? Great. Anything else on this issue? Okay, Eric, you're on for best practices.

Eric Deitrick: Certainly, yeah. This is another topic about evaluation, except this would be an evaluation of the commission and whether it's complying with best practices for boards and commissions. Specifically, it is the Department of Administrative Services, DAS. They have a 15-point best practices for boards and commissions that were in last meeting's meeting materials. And one of our key performance measures is a self-evaluation by the commission about how it's complying with

best practices for boards and commissions. That KPM report is due to the Legislature by October 1st. Similar to what Susan was just describing with the five-point scale, we did convert the 15 best practices for boards and commissions into a five-point scale as to whether the commissioners strongly agreed, agreed, or strongly disagreed, etc., about whether the commission was complying for each one of those best practices for boards and commissions.

And so what I'm proposing to do is, and also before I forget, at the last Governance Subcommittee meeting, and the group said aside from the commissioners doing the evaluation, I believe they said they'd also like to hear from some agency staff about how they think the commission's doing. So, my proposal to this group would be to send that survey out next week, keep it open for approximately two weeks, and nudge folks along the way to make sure we get responses from everyone, and then to bring those responses back to the August meeting of this group for a discussion.

Susan Mandiberg: Does that include sending it out to staff?

Eric Deitrick: Yes.

Susan Mandiberg: And how have you decided which staff to send it out to?

Eric Deitrick: Well, I think I'd open it up to this group. I mean, I think you'd want to hear from staff who have some engagement with the commission. And so I think at least from my perspective, that would include the executive team and heads of divisions, but I'm open to thoughts.

Jennifer Parrish Taylor: I also would hope to include folks that were here when there was a prior ED, and then were also here once Jessie came on because I think that's important context and being able to have that contrast and speak to it.

Susan Mandiberg: So, now we're talking about evaluation of whether the commission is meeting best practices.

Jennifer Parrish Taylor: Right. But a lot of us came in with the change of the new ED. And so there are going to be folks that were here prior to us that'll be able to speak to that, but then also us who were here when Jessie came on to speak about the change in how the commission has operated, I guess, if that makes sense.

Eric Deitrick: There's 13 members of the commission. What I could do, if this group's okay with it, is send Susan kind of like a draft list of internal staff for vetting. I kind of just don't want to say staff name right here in public meeting about who was here when, but I t hear what you're saying, Jennifer, and I think I get a sense.

Jennifer Parrish Taylor: Yeah, and that's not my expectation, so yeah.

Eric Deitrick: Yeah.

Susan Mandiberg: So, your proposal is to send this out, keep it open two weeks, bring it to the August Governance Subcommittee meeting, and then we would bring it to the whole commission as an action item, possibly in September?

Eric Deitrick: In September.

Susan Mandiberg: Yeah, because this is due in October.

Eric Deitrick: Correct.

Susan Mandiberg: Everybody okay with that? Bob, you good? Great. Shall we try to set a date for an August subcommittee meeting, or do we want to do that in our... We were trying to set a date certain for every month so that we didn't have to go through this every month to look at everybody's calendars, but that seems to be difficult because people have appointments and things that are hard to predict. So, maybe, Eric, in the next week or two, you can send out something seeing what dates in August are workable for folks.

Eric Deitrick: Yeah.

Susan Mandiberg: Will everybody be around in August? You won't be around. When will you be gone?

Jennifer Parrish Taylor: I'm gone all of August.

Susan Mandiberg: All of August.

Jennifer Parrish Taylor: Yeah.

Susan Mandiberg: So, possibly, will you be able to communicate by email with Eric?

Jennifer Parrish Taylor: It's not my intention to look at my email while I'm out of the country.

Susan Mandiberg: Oh, you're going away.

Jennifer Parrish Taylor: I'm going out of the country and then I got elected as a delegate to the DNC convention. So, I'm doing that and then I'm getting married.

Susan Mandiberg: Oh, my goodness.



Jennifer Parrish Taylor: A lot of things going on.

[Crosstalk 00:58:26]

Jennifer Parrish Taylor: So, not my intention to look at anything related to work.

Susan Mandiberg: All right, we won't expect to hear from you, but where are you going to go out of the country?

Jennifer Parrish Taylor: Through a study abroad program through grad school, I'm going to Ghana...

Susan Mandiberg: Oh, wow.

Jennifer Parrish Taylor: ...for about 10 days, I think that's what it works out to be. Yeah.

Susan Mandiberg: What an amazing month.

Eric Deitrick: Congratulations.

Jennifer Parrish Taylor: Yeah, I finagled getting this month off and I was like, "Oh, I'll do wedding stuff," and then I saw all these other opportunities. So, yeah, I'm going to be far busier than I anticipated, but you know, seize opportunities when...

Susan Mandiberg: Well, I hope you have a wonderful wedding.

Jennifer Parrish Taylor: Thank you.

Susan Mandiberg: That sounds great, a wonderful trip.

Jennifer Parrish Taylor: I'm looking forward to it.

Susan Mandiberg: Anything else that we need to...? We're a minute over our deadline here, but I think we've gotten a lot done in an hour. Everybody good?

Eric Deitrick: Thank you.

Susan Mandiberg: All right. Thanks, everybody.