

Members:

Susan Mandiberg, Chair
 Leslie Kay
 Philippe Knab
 Haley Olson



**Oregon
 Public
 Defense
 Commission**

Executive Director:

Ken Sanchagrin

Oregon Public Defense Commission

Governance, Policy, and Standards Subcommittee Meeting

*Meeting will occur virtually
 Thursday, September 24, 2026
 4:00pm – 5:30 PM PST
 Via Zoom**

Administrative Announcement

This is a public meeting, subject to the public meeting law and it will be recorded. Deliberation of issues will only be conducted by Commission members unless permitted by the Chair. Individuals who engage in disruptive behavior that impedes official business will be asked to stop being disruptive or leave the meeting. Additional measures may be taken to have disruptive individuals removed if their continued presence poses a safety risk to the other persons in the room or makes it impossible to continue the meeting.

AGENDA

Approx. Time	Item	Lead(s)
4:00-4:05	Welcome and Call to Order	Chair Mandiberg
4:05-4:15	Update: Audit Committee Charter	Chair Mandiberg
4:15-5:30	Discussion: 2026 Board Best Practices Survey Results and Survey Question Updates	Chair Mandiberg
5:30 (Approximately)	**Adjourn**	

**To join the Zoom meeting, click this link: <https://zoom.us/j/99469278029>. This meeting is accessible to persons with disabilities or with additional language service needs.*

Our Zoom virtual meeting platform is also equipped with Closed Captioning capabilities in various languages, which agency staff can assist you with setting up ahead of meetings.

Requests for interpreters for the hearing impaired, for other accommodations for persons with disabilities, or for additional interpreter services should be made to info@opdc.state.or.us.

Please make requests as far in advance as possible, and at least 48 hours in advance of the meeting, to allow us to best meet your needs.

Listed times are an estimate, and the Chair may take agenda items out of order and/or adjust times for agenda items as needed.



Date: September 16, 2026

To: Rob Harris, Chair of OPDC
OPDC Commissioners

Cc: Kenneth Sanchagrin, Executive Director

From: Susan Mandiberg, Chair of the OPDC Governance, Policy, and Standards Subcommittee

Re: OPDC Key Performance Measures: 2026 Board Best Practices Survey Results

Nature of Presentation: Briefing.

Background:

The Board Best Practices Evaluation is one of 5 agency Key Performance Measures (KPMs). OPDC is required to submit a report to the Department of Administrative Services (DAS) and the Legislative Fiscal Office (LFO) by October 1 of each year on our progress in meeting our KPMs. ORS 291.110(1)(g).¹

The Best Practices Survey (Survey) asks commissioners to respond to assertions about Board performance. The Governance Subcommittee recently learned that it is possible for the Board to change the Survey assertions. This year's Survey consisted of fifteen assertions. Thirteen of those assertions were also on the 2025 Best Practices Evaluation. The remaining two (assertions 1 and 2) were amended versions of 2025 assertions, adopted by the Board at its August 2026 meeting. The Governance Subcommittee has discussed the possibility of changing, or even adding to, the remaining assertions. Due to time constraints, the Subcommittee decided to table those discussions until the results of the 2026 Survey were available.

¹ "The Oregon Department of Administrative Services shall ensure that state agency activities and programs are directed toward achieving performance outcomes. The department shall ... [n]o later than October 1 of each year, submit a report to the Legislative Fiscal Office on the progress state agencies have made in meeting performance measures."

The Survey asked respondents to rate performance on a scale (strongly agree – agree – no opinion – disagree – strongly disagree). The scale responses are submitted as part of OPDC’s October report.

Respondents also had the opportunity to give textual responses, which are not forwarded to DAS or LFO. All responses are anonymous, but it is possible to know which scale response was made by each respondent who commented; a correlation can help give insight into the reasons for “strongly disagree” and “disagree” responses.

Prior to engaging in the survey, Board members received a summary of actions taken by the Board over the previous year. This summary was based on published agendas and materials for monthly Commission meetings. Board members also had the opportunity to discuss the KPM survey at the August 2026 Commission meeting. OPDC staff generated a report that shows the number of people responding at each scale level, the percentage of respondents who give each scale response, and the written comments. The report is attached below.

The Board KPMs allow us to review our work and assess ways to improve. The relevant statute directs each state agency to “[u]se performance measures to work toward achievement of identified missions, goals and objectives.”² To achieve this goal (and to demonstrate success in meeting performance measures) it is beneficial to have both full commissioner participation. This year’s Survey was circulated to the twelve active commissioners; eight responded. It is also useful to have comments explaining any disagreements with the assertions; these are noted below.

The Governance Subcommittee did not have a chance to discuss this year’s responses prior to the September Commission meeting. This Memo summarizes the responses, compares them to the 2025 Survey responses, and adds my own observations regarding actions the Board may want to engage in. In comparing this year’s responses with those from 2025, keep in mind that Board membership has changed over the year.

1. Areas of Respondent Agreement That Do Not Suggest Additional Board Attention

No commissioners disagreed with four of the fifteen assertions.

Assertion 11: The Agency adheres to accounting rules and other relevant financial controls.

- Strongly agree 1 – Agree 4 – No opinion 3
- No comments

Comparison with the 2025 Survey: The scale responses are similar; there were no comments on accounting rules or financial controls.

² ORS 291.110(2)(d).

Possible Board action: The Board will be voting on a new Internal Audit Committee Charter this fall, and the Charter will contain relevant references.

Assertion 12: Board members act in accordance with their roles as public representatives.

- Strongly agree 5 – Agree 3
- No comments

Comparison with the 2025 Survey: The scale responses are similar. One comment indicated lack of understanding of the question.

Possible Board action: None recommended.

Assertion 13: The Board coordinates with others where responsibilities and interests overlap.

- Strongly agree 1 – Agree 5 – No opinion 2
- 1 substantive comment expressing frustration/lack of cooperation from others

Comparison with the 2025 Survey: One commissioner “disagreed” with this assertion. Three substantive comments expressed frustration with others in the system.

Possible Board action: None, given that the Board continues its attempts in various ways to coordinate with others in the system.

Assertion 14: Board members identify and attend appropriate training sessions.

- Strongly agree 2 – Agree 4 – No opinion 2
- 1 substantive comment expressing desire for easier access to Workday.

Comparison with the 2025 Survey: The scale responses were similar. There were no substantive comments.

Possible Board action: I understand that easier access to Workday is in process.

2. Areas of Respondent Agreement That Nevertheless May Benefit from Board Attention

a. Assertions regarding the Executive Director and the agency’s mission.

Assertion 1: The Executive Director’s Statutory Performance Expectations are Current.

- Strongly agree 4 – Agree 2 – No opinion 2
- 1 substantive comment on ED’s good performance.

Comparison with the 2025 Survey: The scale responses indicate improvement over the 2025 survey. The assertion in 2025 was “[t]he Executive Director’s performance expectations are current.” There were 3 “disagree” responses and many comments regarding the lack of articulated expectations.

Possible Board action: The Board amended the assertion in 2026 to specify the statutory performance expectations. Eliminating the ambiguity undoubtedly resulted in the improved scale responses. However, this assertion asks for confirmation that something exists, and in fact there *is* a statute stating performance expectations. Any scale response other than “strongly agree” is, therefore, puzzling.

One explanation is that a commissioner may want to amend the statute’s list of expectations. Another explanation, however, might be that some commissioners would like to have the Board set its own performance expectations (which would engender a new or amended assertion). The Governance Subcommittee had previously tabled this question. The Board may want to ask the Subcommittee to revisit the question, or it may wish to take the question up in a work session.

Assertion 2: The Executive Director Receives a Biennial Performance Review.

- Strongly agree 1 – Agree 3 – No opinion 4
- 2 substantive comments indicating that the review will occur

Comparison with the 2025 Survey: The scale responses indicate improvement over the 2025 survey here, as well. The assertion in 2025 was “[t]he Executive Director receives annual performance feedback.” There were 2 “disagree” responses and many comments regarding the lack of a formal process.

Possible Board action: The Board amended the assertion in 2026 to specify the performance review conducted by the Department of Administrative Services (DAS), and the August memo indicated that DAS will conduct this review for Director Sanchagrin in spring, 2027. Again, eliminating the ambiguity undoubtedly resulted in the improved scale responses.

Given the existence of the scheduled review, the “agree” and “no opinion” responses may indicate doubt that the review actually will occur. Alternatively, they may indicate that some commissioners would like to answer an *evaluative* question about the Executive Director’s performance. Again, the Governance Subcommittee had previously tabled discussion of both endeavors. Thus, the Board may want to ask the Subcommittee to revisit these questions of and report back. Alternatively, or to guide the Subcommittee’s approach, these questions could be the topic of a Commission workgroup.

b. The Agency’s Mission

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

- Strongly agree 4 – Agree 2 – No opinion 2
- 1 substantive comment: “This could be better but there are some.”

Comparison with the 2025 Survey: There were no disagreements in 2025, either. One substantive comment referenced the current state of the strategic plan. Each of three

additional comments expressed some degree of frustration at not being able to achieve the agency's mission and goals.

Possible Board attention: A future work session might address how our mission and high-level goals "could be better."

c. Other

Assertion 4: The Board reviews the Annual Performance Progress Report.

- Strongly agree 2 – Agree 3 – No opinion 3
- The one substantive comment was: "I haven't seen one."

Comparison with the 2025 Survey: The scale responses were similar. One comment noted that the "Board reviews important metrics at each meeting."

Possible Board attention: The 2025 and 2026 comments suggest that the label "Annual Performance Progress Report" does not successfully communicate the document at issue. As noted in the memo provided to the Board in August 2026, however, the "Annual Performance Progress Report is the annual KPM report that the Board received (in writing and orally) at the September, 2025 Commission Meeting. Amending Assertion 4 to clarify the nature of the Annual Performance Progress Report may be beneficial.

3. Areas of Disagreement

Respondents disagreed about the accuracy of four assertions regarding the Board's duty to review certain agency actions.

a. Board Communications

Assertion 5: The Board is appropriately involved in review of agency's key communications.

- Strongly agree 3 – Agree 3 – No opinion 0 –Disagree 2
- There were three substantive comments. One complemented the "give and take" at Commission meetings. Two, however, were negative:
 - "I feel like we are involved in unimportant communication and that could improve."
 - "I don't feel like board is asked to review key communications. I feel there are significant policy changes that the board isn't even told about in advance, let alone asked to review communications."

Comparison with the 2025 Survey: There were no "disagree" or "strongly disagree" responses in 2025. One comment noted that while the Chair might engage in this activity, reviewing the agency's communications was beyond the scope of a volunteer Board.

Possible Board attention: There may be a relatively simple way to address the concerns raised in 2026. If Commissioners had a better overall sense of the types of communications the agency undertakes, we could assess which are "key" and what level

of involvement is appropriate for Commissioners to have. This would provide clarity for addressing this assertion in 2027.

b. Board Review Responsibilities

Assertion 8: The Board reviews all proposed budgets (likely occurs every other year).

- Strongly agree 3 – Agree 3 – No opinion 1 – Disagree 1
- No substantive comments

Comparison with the 2025 Survey: There were no “disagree” or “strongly disagree” responses in 2025. There were no substantive comments.

Possible Board attention: The August memo reviewed the Board’s activity regarding the Agency Request Budget for 2025-27 and other budget activities. It may be that the respondent who disagreed believes that there are other proposed budgets that have not been reviewed. The Board may want to amend the assertion to specify which budget or other budgetary requests are at issue.

Assertion 9: The Board periodically reviews key financial information and audit findings.

- Strongly agree 3 – Agree 2 – No opinion 2 – Disagree 1
- There were no comments.

Comparison with the 2025 Survey: There were no “disagree” or “strongly disagree” responses in 2025. The only comment was that the “audit function needs to be finalized.”

Possible Board attention: As noted above regarding Assertion 11, the Board will be taking the Audit Committee Charter up this fall.

Assertion 10: The Board is appropriately accounting for resources.

- Strongly agree 2 – Agree 4 – No opinion 1 – Disagree 1
- The only comment: “We have identified some issues and there has been no real movement.”

Comparison with the 2025 Survey: There were no “disagree” or “strongly disagree” responses in 2025. There were no substantive comments.

Possible Board attention: Absent a clear statement of the issues that have remained unaddressed, it is unclear what the Board can do to understand and possibly remedy the situation. That said, the Board might benefit from a clearer understanding of the “resources” for which it needs to account. In addition (or alternatively), we may want to reframe the assertion to be less ambiguous.

Assertion 15: The Board reviews its management practices to ensure best practices are utilized.

- Strongly agree 3 – Agree 4 – No opinion 0 – Disagree 1

- There were no comments.

Comparison with the 2025 Survey: There were no “disagree” or “strongly disagree” responses in 2025. There were no substantive comments.

Possible Board attention: The question of management practices and how they are to be reviewed may be a topic for a work session.

c. Policy-Making and Legislative Responsibilities

Assertion 6: The Board is appropriately involved in policy-making activities.

- Strongly agree 3 – Agree 3 – No opinion 0 – Disagree 2
- One comment, suggesting “the board should be more involved in meaningful policy.”

Comparison with the 2025 Survey: One respondent strongly disagreed in 2025. The two substantive comments expressed frustration with the Board’s authority to implement policy, frustration with the system, and frustration with employees.

Possible Board attention: The Memo made available at the August Commission meeting noted that in February 2025, the Board approved OPDC’s strategic plan, which establishes the agency’s goals and strategies; it also noted that ORS 151.216 contains a list of policies the Board is to adopt. It would be useful to confirm that the strategic plan covered each of the policy areas listed in the statute. It is possible that at least one Commissioner believes that there are meaningful policies not covered by the statute or the strategic plan. If so, this might be a useful discussion for a workgroup meeting.

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

- Strongly agree 2 – Agree 3 – No opinion 2 – Disagree 2
- The only comment noted, “[a]ligned as much as possible with political realities of what will be granted.”

Comparison with the 2025 Survey: There were no “disagree” or “strongly disagree” responses in 2025. There were two comments. One lamented the lack of full funding for the POPs. The other suggested at some length that the POPs had not been politically astute.

Possible Board attention: The respondent who made the 2026 “political reality” comment returned a scale response of “strongly agree.” The two “disagree” responses may also be reacting to the same political reality. OPDC may now be following the suggestion to be more politically astute, however this may frustrate achieving OPDC’s mission and goals.

Next Steps

The Governance, Policy, and Standards Subcommittee will review and discuss these results at an upcoming meeting and determine what further changes to the assertions need to be made for clarity in next year’s survey.